

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.71651 of 2018

Arising Out of PS. Case No.-537 Year-2018 Thana- MADHEPURA District- Madhepura

1. Bharat Ram,
2. Laxman Ram, Both Sons of Late Moti Ram, Both residents of Village- Dhurgown under Madhepura (Bliarrahi O.P.) P.S. in the District Madhepura.

... .. Petitioners

Versus

The State of Bihar.

... .. Opposite Party

Appearance :

For the Petitioners : Mr. Sharda Nand Mishra, Advocate.
For the Opposite Party : Mr. Manoj Kumar – 1, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 18-12-2018 Heard learned counsel for the petitioners and learned counsel for the State.

The petitioners are apprehending their arrest in a case for the offence registered under Sections 341, 323, 307, 379, 504 and 506/34 of the IPC.

The prosecution story, in brief, is that on 14.07.2018 at about 7.30 P.M., petitioners and ten co-accused persons came at the door of the informant and started abusing and when he objected then co-accused Mukesh Ram assaulted with *Lathi* causing head injury. Petitioners assaulted with *Farsa* on the head of Sudha Devi causing head injury. Petitioner no. 1 Bharat Ram ordered to kill Sudha Devi by firing pellet. Petitioner No. 2 Lakshman Ram snatched silver chain and gold ear-rigs from her



neck and ears. Petitioners and co-accused entered into her courtyard and co-accused Shatrughan Ram assaulted with *Iron rod* on the head of Butan Ram due to which, blood started oozing out. Six female co-accused persons assaulted Manju Devi causing waist and head injury. Petitioner no. 1 Bharat Ram took out one box containing documents of land and cash of Rs. 5,000/-. from the house. Co-accused Ram Bahadur and Suresh fled away by taking two bags of wheat. Co-accused Rinki Devi and Rinku Devi snatched gold ear-rings and silver chain from Manju Devi.

It has been submitted by learned counsel for the petitioners that the petitioners have falsely been implicated in the present case. There is no allegation of tampering with the witnesses alleged against the petitioners. Nature of injury is said to be simple. No offence under Section 307 of the IPC is made out. Rests of the offences are triable by the Magistrate.

On behalf of the State, it is submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners above named, in the event of arrest or surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail



bonds of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned C.J.M. Madhepura, in connection with Madhepura (Bharrahi O.P.) P.S. Case No. 537 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

U.K./-

(Sudhir Singh, J)

U		T	
---	--	---	--

