

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.347 of 2019

Arising Out of PS. Case No.-375 Year-2018 Thana- MOTIHARI MUFASIL District- East
Champaran

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1. Lakhindra Sah, Kuldeep Sah Resident of Village- Bashatpur, P.S.- Muffasil, District- East Champaran.
 2. Munchun Sah, Kuldeep Sah Resident of Village- Bashatpur, P.S.- Muffasil, District- East Champaran.
 3. Narain Sah Late Hanshraj Sah Resident of Village- Bashatpur, P.S.- Muffasil, District- East Champaran.
 4. Ganesh Ray Satya Narayan Rai Resident of Village- Bashatpur, P.S.- Muffasil, District- East Champaran.
 5. Hanuman Sah Late Karjhigan Sah Resident of Village- Bashatpur, P.S.- Muffasil, District- East Champaran.
 6. Saral Sah Hanuman Sah Resident of Village- Bashatpur, P.S.- Muffasil, District- East Champaran.
 7. Manish Sah Bhola Sah Resident of Village- Bashatpur, P.S.- Muffasil, District- East Champaran.

... .. Appellant/s

Versus

The State Of Bihar Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Ajay Kumar Singh
For the Respondent/s : Smt. Usha Kumari 1

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL JUDGMENT

Date : 27-02-2019

In view of the submission of learned counsel for the appellants that appellant nos. 4 and 5, during pendency of the appeal has been taken into custody, this application so far appellant nos. 4 and 5 are concerned is dismissed as withdrawn having become infructuous.

So far other appellants are concerned, they seek pre



arrest bail in connection with Muffasil P.S. Case No. 375 of 2018, registered for offences punishable under Sections 147, 149, 323, 324, 307, 354, 504, 506 of the Indian Penal Code and Section 3 (1)(d)(r)(s) of SC/ST Act.

Allegation against the appellants is of assaulting the informant and when the wife and son of the informant came to save him, they were also assaulted.

It has been submitted on behalf of the appellants that there is case and counter case between the parties and although there is allegation of assault, however, the injuries found on the person of the injured were found to be simple in nature.

Heard learned Special P.P. also.

Having heard both sides, in view of the above facts, let the appellant nos. 1, 2, 3, 6 and 7, in the event of their arrest or surrender before the Court below within a period of six weeks, be released on bail on furnishing bail bonds of Rs. 25,000 (Rs. Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of learned 1st Additional Sessions Judge -cum-Special Judge SC/ST(POA), East Champaran at Motihari, in connection with Muffasil P.S. Case No. 375 of 2018, subject to the conditions laid down under Section 438 (2) of Cr.P.C.



Accordingly, this appeal with regard to appellant nos 1,
2, 3, 6 and 7, is allowed and impugned order is set aside.

(Vinod Kumar Sinha, J)

sunilkumar/-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

