

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3946 of 2019

Arising Out of PS. Case No.-461 Year-2017 Thana- MUFFASIL District- West Champaran

1. Shivdulari Devi, aged about 45 years (F), W/O Chumaan Prasad.
2. Chumaan Prasad, aged about 50 years (M), S/O Late Shiv Nandan Prasad.
3. Bablu Prasad, aged about 25 years (M), S/O Chumaan Prasad. All R/O Village-Sansaraiya, P.S- Bettiah Muffasil, District-West Champaran.

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....Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Anuradha Kumari, Advocate.

For the Opposite Party : Mr.Chandra Sen Prasad Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

2 29-01-2019 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners are apprehending their arrest in a case for the offence registered under Sections 447, 341, 323, 324, 307 and 504/34 of the IPC.

The prosecution story, in brief, is that on 25.10.2017 at about 11.00 P.M., when the informant was sleeping in his house, petitioner no. 1 Shiv Dulari Devi came at his house in the night and called him and when he came outside of the house then the petitioner no. 2 Chumaan Prasad assaulted him by the knife. When his son Birendra Prasad came on hulla to save him, then petitioner no. 3 Bablu Prasad assaulted him by knife. It is further alleged that co-accused Chattu Prasad also gave knife blow on the back of Birendra Prasad and thereafter they run away.



It has been submitted by learned counsel for the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioners. The petitioners have falsely been implicated in the present case. Nature of injury is said to be simple. No offence under Section 307 of the IPC is made out. There is case and counter case between the parties.

On behalf of the learned counsel for the State, it has been 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 Chief Judicial Magistrate, West Champaran, Bettiah,, in connection with Bettiah Muffasil P.S. Case No. 461 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

U.K./-

(Sudhir Singh, J)

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