

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11761 of 2019

Arising Out of PS. Case No.-268 Year-2018 Thana- MAHNAR District- Vaishali

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1. Maheshwar Das, aged 55 years, Male, Son of Laldeo Das
 2. Shiv Kumar Das, aged 22 years, Male, Son of Jugal Das
 3. Sunil Kumar Das @ Sunil Das, aged 24 years, Male, Son of Maheshwar Das
 4. Nirmala Devi, aged 48 years, Female, Wife of Jugal Das
 5. Shiv Charan Das, aged 22 years, Son of Jugal Das
- All Resident of Village - Chandpura, P.S.- Bidupur, Distt.- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Rina Sinha, Adv.

For the Opposite Party/s : Mr. Pradeep Narain Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

2 27-02-2019 The petitioners seek bail in anticipation of their arrest in connection with Mahnar P.S. Case No. 268 of 2018, dated 03.10.2018, instituted for the offences under Sections 323, 341, 324, 307, 354, 379 and 504/34 of the Indian Penal Code.

Petitioner No. 1 is said to have assaulted the



informant by means of *lathi*, whereas petitioner Nos. 2, 3 and 4 are said to have used sharp cutting weapons against the informant. Petitioner No. 5 is alleged to have assaulted the wife of the informant by means of *lathi*.

It has been submitted on behalf of the petitioners that surprisingly, the injuries suffered by the informant are superficial and all such injuries are stated to have been caused by hard and blunt substance. Though the nature of the injuries has not been opined, but from the dimensions of the injuries, it can safely be concluded that the injuries are simple in nature. The petitioners as well as the informant are related to each other and a small occurrence seems to have been blown out of proportion where an assault took place in which, some injuries were caused to the informant and his wife.

It has further been submitted on behalf of the petitioners that finding the litigation to be a futile exercise, the informant has chosen not to prosecute the petitioners any further and has entered into a settlement with the accused persons.



Considering the aforesaid facts and taking into account the clean antecedents of the petitioners above named, they, in the event of their arrest or surrender before the learned Court below within a period of four weeks from the date of receipt/production of a copy of the present order, are directed to be released on bail on their furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Vaishali at Hajipur in connection with Mahnar P.S. Case No. 268 of 2018, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

(Ashutosh Kumar, J)

Praveen-II/-

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