

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17708 of 2019

Arising Out of PS. Case No.-72 Year-2018 Thana- CHHABILAPUR District- Nalanda

1. SANGITA DEVI, Female, aged about 30 years, Wife of Bidya Bhushan Kewat
 2. Bidya Bhushan Kewat, Male, aged about 35 years, Son of Madho Sharan Kewat @ Madho Sharan
 3. Madho Sharan Kewat @ Madho Sharan, Male, aged about 70 years, Son of Late Jagrup Kewat
- All are resident of Village-Beldaripar, P.S.-Chabilapur, District-Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Satya Ranjan Sinha
For the Opposite Party/s : Mr.Asha Devi

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 26-03-2019 Heard both sides.

The petitioners apprehend their arrest in Chhabilapur P.S. Case No.72 of 2018 registered under Sections 307, 379 and other minor Sections of the Indian Penal Code.

The informant alleged that when he reached near the house of Baleshwar Kewat, Sangita Devi(petitioner No.1), Bidya Bhushan Kewat(petitioner No.2) and Madho Sharan(petitioner No.3) abused and assaulted the informant. Sangita Devi is alleged to have stabbed the informant with knife on his left chest. Bidya Bhushan Kewat took away Rs.4,000/- from his pocket.



The learned counsel for the petitioners submits that allegation of stab injury by knife is falsified as the learned Sessions Judge found the injury to be simple in nature caused by hard and blunt object, therefore, there is no injury on the person of the informant caused by sharp edge weapon such as knife as alleged by the informant. The allegation of theft or snatching money is ornamental.

Considering the aforesaid facts and nature of allegation made against the petitioners and the fact that although petitioner No.1 is alleged to have stabbed the informant with knife but the injury found on the chest of the informant is simple in nature caused by hard and blunt object, let the petitioners, above named, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-V, Nalanda at Biharsharif in connection with Chhabilapur P.S. Case No.72 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Prabhat Kumar Jha, J)

