

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19495 of 2019

Arising Out of PS. Case No.-169 Year-2017 Thana- MAHISHI District- Saharsa

1. RAM DAYAL PODDAR Son of Sri Narayan Poddar
2. Jalandhar Poddar @ Nandan Son of Sri Ram Dayal Poddar
3. Aashish Kumar Son of Sri Bharat Poddar
4. Shatrughan Poddar Son of Sri Narayan Poddar

All resident of Village - Teghra, P.S.- Maheshi, District- Saharsa (Bihar)

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Saket Gupta
For the Opposite Party/s : Mr.Amit Kumar Rakesh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

5 24-07-2019 The petitioners apprehend their arrest in connection with Maheshi P. S. Case No. 169 of 2017 registered under Sections 307,323,324,341,354B,379,448,504 and 506/34 of the Indian Penal Code.

Allegation against the petitioners is that petitioners along with other accused persons assaulted the informant and his family members by means of *Lathi*, *Garasa*, *Farsa* etc. It has further been alleged that petitioners misbehaved with the daughter-in-law of the informant and tried to outrage her modesty.

Learned counsel appearing on behalf of the petitioners



submits that petitioners are innocent and both parties are neighbours. He further submits that there is case and counter case in between the parties inasmuch as the side of the petitioners also lodged Maheshi P.S. Case No. 172 of 2017 for the incident which has taken place on the same day and time and side of the petitioners have also received injuries and there was free fight between the parties. He further submits that injuries are simple in nature and after investigation, the police has not submitted charge sheet against the petitioners and others under Section 307 of the Indian Penal Code.

After having heard learned counsel for the parties and taking into consideration the fact that parties are neighbours and there was case and counter case in between the parties and the police has submitted charge sheet not under Section 307 of Indian Penal Code and injuries caused to the side of the informant are simple in nature, as such I am inclined to grant anticipatory bail to the petitioners.

Let the petitioners, above-named, in the event of arrest or surrender before the court below within a period of four weeks from the date of receipt of a copy of this order, be released on bail upon furnishing bail bond of Rs. 10,000/- each with two sureties of the like amount each to the satisfaction of the learned



SDJM, Saharsa in connection with Maheshi P.S.Case No. 169
of 2017; subject to condition as laid down under Section 438(2)
of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

sujit/-

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