

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25684 of 2019

Arising Out of PS. Case No.-2 Year-2019 Thana- LAUKARIA District- West Champaran

1. SANJAY SAH Son of Lakshmi Sah Resident of Village-Sidhaw, P.S-Laukariya, District-West Champaran.
2. Kamlesh Sah @ Kamlesh Kumar Sah Son of Munna Sah Resident of Village-Sidhaw, P.S-Laukariya, District-West Champaran.
3. Akalesh Sah @ Akilesh Prasad Son of Ramanand Prasad, Resident of Jamdar Tola, P.S-Chautarwa, District-West Champaran.
4. Ajay Sah Son of Munna Sah Resident of Village-Sidhaw, P.S-Laukariya, District-West Champaran.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey

For the Opposite Party/s : Mr.Ashok Kumar Singh

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 26-06-2019 This application, for grant of anticipatory bail, arises out of Laukariya P.S. Case No. 02/2019, disclosing offences under Sections 504, 323, 324, 341/34 of the Indian Penal Code. Later on section 302 of the Indian Penal Code was added.

Allegation against the petitioners is of assault to the son of informant by means of lathi, danda and knife. Later on daughter of the informant died and Section 302 of the Indian Penal Code was added.

Submission of learned counsel for the petitioners is that out and out false and fabricated allegation has been levelled, which will appear from the fact there is no whisper in the entire F.I.R. that



the petitioners have assaulted the daughter of the deceased and when the daughter of the informant died in some other manner, they have come with a case that petitioners have also assaulted the daughter of informant.

Learned counsel for the State as well as learned counsel for the informant. They have opposed the prayer for bail and submitted that during investigation, it has come son and daughter both have been assaulted in the occurrence and it further appears that daughter of the informant had received two injuries due to which, she died.

Having heard both sides, in view of the above facts, this application is allowed. Let the petitioners, above named, in the event of their arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty five Thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate -1st Class, Bagaha, West Champaran, in connection with Laukariya P.S. Case No. 02/2019, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Vinod Kumar Sinha, J)

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