

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28466 of 2019

Arising Out of PS. Case No.-258 Year-2015 Thana- RAMNAGAR District- West Champaran

1. Akalesh Sah @ Akhilesh Sah Son of Prakash Sah Resident of Village-Mujara, Police Station-Ram Nagar, District-West Champaran.
2. Mehilal Sah @ Mahilal Sah Son of Vilash Sah Resident of Village-Mujara, Police Station-Ram Nagar, District-West Champaran.
3. Kamlesh Sah Son of Prakash Sah Resident of Village-Mujara, Police Station-Ram Nagar, District-West Champaran.
4. Lal Babu Sah Son of Prakash Sah Resident of Village-Mujara, Police Station-Ram Nagar, District-West Champaran.
5. Vishambhar Sah Son of Prakash Sah Resident of Village-Mujara, Police Station-Ram Nagar, District-West Champaran.
6. Sri Sah Son of Late Chhedi Sah Resident of Village-Mujara, Police Station-Ram Nagar, District-West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Milind Kumar Mishra
For the Opposite Party/s : Mr.Uday Chand Prasad

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 30-04-2019 Heard both sides.

The petitioners apprehend their arrest in Ram Nagar P.S. Case No.258 of 2015 registered under Section 307 and other sections of the Indian Penal Code.

The informant named 14 persons including the petitioners and alleged that they all surrounded him and began to assault by the use of iron rod and other weapons. Akhilesh Sah (petitioner no.1) assaulted him with iron rod on his head.



The other accused persons also assaulted him with lathi.

Learned counsel for the petitioners submits that the informant got as many as four injuries which are lacerated and scratch on different parts of the body. All the four injuries are simple in nature. Similarly situated other accused persons have already been granted anticipatory bail vide order passed in Cr. Misc. No.13874 of 2019. The case of the petitioners stands on the same footing.

Having considered the facts that there is omnibus and general allegation of assault against the petitioners except petitioner no.1, Akhilesh Sah, who is alleged to have assaulted the informant with iron rod on his head but from perusal of the injury report, it appears that lacerated and scratch injuries were found on the person of the informant and the injuries are opined to be simple in nature and the fact that similarly situated accused persons have been granted anticipatory bail, the above named petitioners, 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 this order, are directed to be enlarged on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Bagaha, West Champaran, in



connection with Ram Nagar P.S. Case No.258 of 2015, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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