

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25831 of 2019

Arising Out of PS. Case No.-25 Year-2019 Thana- CHAPRA TOWN District- Saran

1. Niranjan Sah @ Jhanjhat Sah, aged about 55 years, Male, Son of late Hiranman Sah, Resident of Village - Mauna Mishra Tola Nai Basti, P.S.- Chapra Town, Distt - Saran (Chapra)
2. Golu Kumar, aged about 22 years, Male, Son of Niranjan Sah @ Jhanjhat Sah, Resident of Village - Mauna Mishra Tola Nai Basti, P.S.- Chapra Town, Distt - Saran (Chapra)
3. Raja Kumar, aged about 20 years, Male, Son of Niranjan Sah @ Jhanjhat Sah, Resident of Village - Mauna Mishra Tola Nai Basti, P.S.- Chapra Town, Distt - Saran (Chapra)
4. Ranjit Kumar, aged about 27 years, Male, Son of Narayan Sah, Resident of Village - Daldali Bazar, P.S.- Chapra Town, Distt - Saran (Chapra)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sachida Nand Rai
For the Opposite Party/s : Mr.Abhay Kumar

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 22-04-2019 Heard both sides.

Petitioners apprehend their arrest in Chapra Town P.S.

Case No.25 of 2019, registered under Sections 307, 379 and
other minor Sections of the Indian Penal Code.

Rampal Prasad, the informant, named the four
petitioners and others and alleged that on account of dispute
with regard to drainage, all the accused persons having armed
with different weapons came and Niranjan Sah @ Jhanjhat Sah,
petitioner no.1 is alleged to have assaulted the informant,



Rampal Prasad with iron rod on his head. When Bindu Devi, the wife of the informant, and two sons of the informant came to save, Golu Kumar, Petitioner no.2 is said to have assaulted Ritesh Kumar, one of the sons of the informant with iron rod on his head. Raja Sah, petitioner no.3 assaulted Bindu Devi, the wife of the informant on her head and Ranjit Kumar, petitioner no.4 is alleged to have assaulted Nitesh Kumar with farsa on his head.

Learned counsel for the petitioners submits that the injury of the informant is not on record and in this view of the fact, he seeks permission to withdraw the anticipatory bail petition of petitioner no.1, Niranjana Sah @ Jhanjhat Sah.

Prayer is allowed.

Anticipatory bail petition of Niranjana Sah @ Jhanjhat Sah, petitioner no.1 is dismissed as withdrawn.

So far as the case of petitioners, Golu Kumar, Raja Kumar and Ranjit Kumar is concerned, they are alleged to have assaulted the wife and two sons of the informant, namely, Bindu Devi, Ritesh Kumar and Nitesh Kumar but from perusal of the injury report, it appears that the injuries are simple and superficial in nature. On account of dispute with regard to drainage, the occurrence took place.



Considering the facts aforesaid that on account of dispute with regard to drainage, the occurrence took place in which the petitioners are alleged to have assaulted the wife and two sons of the informant but they got simple and superficial injuries, let petitioners no.2, 3 and 4, namely, Golu Kumar, Raja Kumar and Ranjit Kumar, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt of this order, be enlarged on bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned C.J.M., Chapra, District Saran in connection with Chapra Town P.S. Case No.25 of 2019, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Prabhat Kumar Jha, J)

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