

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32450 of 2019

Arising Out of PS. Case No.-414 Year-2018 Thana- BAIRIYA District- West Champaran

1. ARUN SHARMA Son of Chandrika Sharma Resident of Village - Balua Rampurwa, P.S.- Bairiya, Dist.- West Champaran.
2. Dilip Sharma Son of Chandrika Sharma Resident of Village - Balua Rampurwa, P.S.- Bairiya, Dist.- West Champaran.
3. Rambabu Sharma Son of Chandrika Sharma. Resident of Village - Balua Rampurwa, P.S.- Bairiya, Dist.- West Champaran.
4. Chandrika Sharma Son of Late Swarup Sharma. Resident of Village - Balua Rampurwa, P.S.- Bairiya, Dist.- West Champaran.
5. Dhanna Devi @ Panna Devi @ Phanna Devi W/O Chandrika Sharma Resident of Village - Balua Rampurwa, P.S.- Bairiya, Dist.- 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.Chandra Bhushan Prasad

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 16-05-2019 This application, for grant of anticipatory bail, arises out of Bairiya P.S. Case No. 414/18, disclosing offences under Sections 341, 323, 447, 324, 307, 504, 354, 506/34 of the Indian Penal Code.

Allegation as per F.I.R. is that petitioner nos. 1 and 2 assaulted one Dharmendra and Ajay respectively and other petitioners are also named in the F.I.R. and there is further allegation that they called the informant Daain and also of disrobing her.



Submission of learned counsel for the petitioners is that so far petitioner nos. 3 to 5 are concerned, no specific allegation of assault has been attributed to them and though there is allegation against petitioner nos. 1 and 2 is of assault to Dharmendra and Ajay has been attributed, however, injury caused to them was found to be simple in nature and further there is case and counter case between the parties and persons from the petitioners side have also received injuries.

Heard learned A.P.P. also.

Having heard both sides, considering the submission, as above, this application is allowed. Let the petitioner, 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 ACJM-VII, Bettiah, West Champaran, in connection with Bairiya P.S. Case No. 414/18, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Vinod Kumar Sinha, J)

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