IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31119 of 2019

Arising Out of PS. Case No.-64 Year-2018 Thana- DARPA District- East Champaran

==========

1. RAMANAND SAH Son of Late Chando Lal Sah, Resident of Village Pipra, PS- Darpa, District West Champaran.
2. Dinesh Sah @ Dinesh Kumar Son of Ramanand Sah, Resident of Village Pipra, PS- Darpa, District West Champaran.
3. Tuntun Sah @ Ravi Prakash Sah Son of Ramanand Sah, Resident of Village Pipra, PS- Darpa, District West Champaran.

... ... Petitioner/s

Versus

The State of Bihar.

... ... Opposite Party/s

==========

Appearance :
For the Petitioner/s : Mr.Umesh Chandra Verma
For the Opposite Party/s : Mr.Ajay Kumar Jha

==========

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY

ORAL ORDER

2 10-05-2019 Heard learned counsel for the petitioners and learned counsel for the State.

In this case, the petitioners are seeking bail in connection with Darpa P.S. Case No. 64 of 2018 registered for offence punishable under sections 341, 323, 324, 307, 427, 379, 448, 380, 504, 506/34 of the Indian Penal Code.

As per the petitioners, both the parties are agnate, on trifle reason, they have altercated and caused injury upon the victim. As per allegation, Ravi Prakash Sah @ Tuntun Sah assaulted the victim by Farsa, rest two petitioners have caused injury by iron rod. The injury report corroborates the allegation

WEB COPY

of assault by farsa and with regard to other two persons, allegation has been made against them to have caused injury which are not on the vital part.

Considering the nature of allegation, facts and circumstances of the case, this Court is not inclined to grant bail to the petitioner no. 3 and accordingly his prayer for bail is rejected with liberty that if he surrenders and prays for regular bail, the court below will take decision in accordance with law.

So far petitioner no. 1 and 2 is concerned, allegation has been made against them to have caused injury on non-vital part.

In such view of the matter, petitioner nos. 1 and 2 in the event of arrest or surrender before the court below within six weeks from today, are directed to be enlarged on anticipatory bail on furnishing bail bonds of Rs. 10,000/- each with two sureties of the like amount each to the satisfaction of Sub-Divisional Judicial Magistrate, Raxaul, East Champaran in connection with Darpa P.S. Case No. 64 of 2018, subject to the conditions as laid down under section 438 Cr. PC and also subject to the condition that one of the bailors of the petitioners shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court. The petitioners

WEB COPY

will not induce any witness or tamper with the evidence. The petitioners shall cooperate in the disposal of trial and make themselves available as and when required by the court. If the petitioners are found involved in similar type of allegation in future, the prosecution will have liberty to file an application for cancellation of their bail bonds.

(Shivaji Pandey, J)

Mahesh/-

U		T	

WEB COPY