

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34372 of 2019

Arising Out of PS. Case No.-258 Year-2018 Thana- KOTWA District- East Champaran

1. SARYUG RAM S/o Late Nifikir Ram
2. Munilal Ram @ Munnilal Ram S/o Saryug Ram
3. Dukhni Devi @ Dukhanti Devi W/o Saryug Ram
4. Hewanti Devi D/o Saryug Ram
5. Rupkanti Devi D/o Saryug Ram
6. Ashok Ram Son-in-law of Saryug Ram all R/o village- Kotwa, P.S.- Kotwa, Distt.- East Champaran

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Singh
For the Opposite Party/s : Mr.Rajendra Nath Jha

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

6 13-08-2019 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

The petitioners are apprehending their arrest in a case registered for the offence punishable under Sections 341, 323, 324, 308, 379, 504 and 506/34 of the Indian Penal Code.

The prosecution case as lodged by the informant is that on 14.09.2018 at about 1 P.M. he went to see his maize field and saw that the accused persons were cutting maize crops. The informant asked from the accused persons as to why they are cutting maize crops, to which accused Saryug Ram replied that



for the grass purpose, he is cutting maize crops. The informant raised objection, to which accused persons abused him and Saryug Ram gave twice Fasuli blow, out of which the informant saved himself from first blow, but another Fasuli blow hit on his head causing cut and bleeding injury. After sustaining injury, the informant fell down on the ground and all the accused persons assaulted him by lathi, danda, iron rod blow indiscriminately. Accused Ashok Ram took out Rs. 2000/- from the pocket of the informant and accused Munnilal Ram wrapped Gamachha around the neck of the informant and pulled it. The injury report of the informant Mukesh Kumar Singh is mentioned under para-17 of the case diary, from which it appears that he has sustained incised wound on his head.

It has been submitted on behalf of the petitioners that they are innocent, bear no criminal antecedent and have been falsely implicated in the present case. On 14.09.2018, the petitioners have filed the case against the informant later on the informant also filed the present case against the petitioners.

In the facts and circumstances of the case, let the petitioners, above named, in the event of their arrest or surrender before the Court below within a period of six weeks from the date of receipt of the order, be released on anticipatory



bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of the learned C.J.M., Motihari in connection with Kotwa Police Station Case No. 258 of 2018, G.R. No. 7001 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anjani Kumar Sharan, J)

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