

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38846 of 2019

Arising Out of PS. Case No.-47 Year-2019 Thana- GOPALGANJ TOWN District- Gopalganj

1. CHHOTELAL RAM, Sex-Male, Aged about 55 years, Son of Sitaram Ram
 2. Bindalal Ram, Sex-Male, Aged about 45 years, Son of Sitaram Ram
 3. Raju Ram @ Raju Kumar Ram, Sex-Male, Aged about 28 years, Son of Chhotelal Ram
- All are residents of Village- Harbasa, P.S.- Gopalganj, District- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Javed Aslam

For the Opposite Party/s : Mr.Binod Kumar

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 25-06-2019 Heard both sides.

The petitioners apprehend their arrest in Gopalganj P.S. Case No.47 of 2019 registered under Sections 341, 323, 307, 504, 506/34 of the Indian Penal Code.

The informant alleged that she was complaining against the ill behaviour of her husband on account of which she and her children were in economically bad condition. Kalawati Devi informed her husband on telephone and on the order of her husband, all the accused persons began to assault the informant and her sons. Chhotelal Ram, petitioner No.1 is said to have assaulted Rakesh Ram, the son of the informant with iron rod on his head and there was blood oozing injury and seven stitches were done.

The learned counsel for the petitioners submits that there is no allegation of assault against Bindalal Ram and Raju Ram(petitioner Nos.2 and 3). On account of some family



dispute, the case has been lodged.

Since there is no specific allegation of assault against Bindalal Ram and Raju Ram, petitioner Nos.2 and 3, petitioner Nos.2 and 3, above named, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt of the order, be released on 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 Chief Judicial Magistrate, Gopalganj in connection with Gopalganj P.S. Case No.47 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

So far as the case of Chhotelal Ram, petitioner No.1 is concerned, he is alleged to have assaulted Rakesh Ram with iron rod on his head and the injuries were 3 inches long. Seven stitches were made on the injuries.

Considering the facts aforesaid, I am not inclined to enlarge the petitioner No.1 on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J)

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