

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46261 of 2019

Arising Out of PS. Case No.-116 Year-2018 Thana- HARSIDHI District- East Champaran

1. Rajendra Sah @ Rajendra Prasad Sah, Son of Late Bishun Dayal Sah Resident of Village - Mehta Tola, P.S.- Harsidhi, Distt - East Champaran.
2. Basanti Devi Wife of Rajendra Sah @ Rajendra Prasad Sah Resident of Village - Mehta Tola, P.S.- Harsidhi, Distt - East Champaran.
3. Suman Kumar Son of Rajendra Sah @ Rajendra Prasad Sah Resident of Village - Mehta Tola, P.S.- Harsidhi, Distt - East Champaran.
4. Jhuna Kumar Son of Rajendra Sah @ Rajendra Prasad Sah Resident of Village - Mehta Tola, P.S.- Harsidhi, Distt - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Madhurendra Kumar
For the Opposite Party/s : Mr.Akshay Lal Pandit

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 26-07-2019 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Harsidhi P.S. Case no. 116 of 2018, registered under Sections 341, 323, 354A, 353, 354, 447, 379 and 504/34 of the Indian Penal Code.

The accusation is that on 02.04.2018, informant being the Anganbari Sewika was supervising the construction work of toilet under O.D.F. scheme. In the meantime, all of sudden, five persons named in the F.I.R., including the



petitioners, variously armed with weapon came there and started to abuse. At that time, petitioner No.4 Jhuna Kumar assaulted the informant by means of fist and slaps and also started to demolish the construction work. On hulla, husband of the informant rushed there and tried to save her, but petitioners started to cause assault to him, at that time, petitioner No.3 Suman Kumar tried to press the neck of the husband of the informant by wrapping towel in his neck. At that time, they also snatched golden chain of the informant worth of Rs. 30,000/- and wallet containing Rs. 700/-.

Learned counsel for the petitioners submits that, in fact, the alleged toilet was constructed on the land of the petitioners and due to that reason, hot talks and scuffle took place in which petitioners side also sustained injury regarding which petitioner No.2 Basanti Devi lodged Harsidhi P.S. Case No. 117 of 2018 on 05.04.2018. Further submission is that the injuries as found on the person of informant and her husband are simple in nature.

Having regard to the facts and circumstances of the case, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail



bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the Judicial Magistrate, 1st Class, Sadar, East Champaran, Motihari in connection with Harsidhi P.S. Case No. 116 of 2018, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

manish/-

U		T	
---	--	---	--

