

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51341 of 2019

Arising Out of PS. Case No.-120 Year-2015 Thana- MOTIHARI MUFASIL District- East
Champaran

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1. Ramashray Sah @ Ramashrya Sah, Son of Kodai Sah Resident of Village - Pataura Tola Kasba, P.S.- Motihari Muffasil, Distt - East Champaran.
 2. Ram Ayodhya Sah Son of Kodai Sah Resident of Village - Pataura Tola Kasba, P.S.- Motihari Muffasil, Distt - East Champaran.
 3. Jay Sah @ Ajay Kumar Son of Ram Ayodhya Sah Resident of Village - Pataura Tola Kasba, P.S.- Motihari Muffasil, Distt - East Champaran.
 4. Suman Sah Son of Late Dhruv Sah Resident of Village - Pataura Tola Kasba, P.S.- Motihari Muffasil, Distt - East Champaran.
 5. Mostt. Dukhan Kuar @ Murti Devi @ Dukhan Devi Wife of Late Dhruv Sah Resident of Village - Pataura Tola Kasba, P.S.- Motihari Muffasil, Distt - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Krishna Kant Singh
For the Opposite Party/s : Mr.Dr. Kumar Uday Pratap

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 17-08-2019 Heard learned counsel for the petitioners and learned
counsel appearing on behalf of the State.

Petitioners apprehend their arrest in connection with
Muffasil P.S. Case No.120 of 2015 for the offence punishable
under Sections 341, 323, 324, 354, 379, 448, 504, 34 of the
Indian Penal Code and $\frac{3}{4}$ of Dian Act.

The allegation against the petitioners, as mentioned in
the FIR is that the petitioners along with other co-accused
persons assaulted the informant and his wife by lathi, danda and



Farsa. It has further been alleged that the petitioner No.5 called wife of the informant as dain, Churail.

Learned counsel appearing for the petitioners submits that the petitioners have falsely been implicated in this case and no serious injury has been caused to the side of the prosecution. Learned counsel further submits that only abrasion on the neck to the informant has been found. Learned counsel also submits that petitioners were given the privilege of Section 41(A) of Cr.P.C. and police has submitted final form against the petitioner No.5 and the allegation against the petitioner No.5 under the Dain Act has not been found true.

After having heard learned counsel for the petitioners as well as learned counsel appearing on behalf of the State and taking into consideration the fact that both the parties are co-sharers and partition suit is pending between them and further the injury caused to informant is simple in nature, as such, I am inclined to grant anticipatory bail to the petitioner.

Accordingly, all the petitioners, above named, are directed to surrender before the learned Court below within a period of four weeks from today and in the event of surrender by them, they shall be released on anticipatory bail by the Court below upon furnishing bail bond of Rs.10,000/- (Ten thousand)



each with two sureties of the like amount each to the satisfaction
of learned A.C.J.M.-VI, East Champaran, subject to the
condition as mentioned under Section 438 (2) of Cr.P.C.

(Anil Kumar Sinha, J)

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