

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55745 of 2019

Arising Out of PS. Case No.-172 Year-2018 Thana- BAUSI District- Araria

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1. DASRATH RISHIDEO Son of Biri Lal Rishideo
 2. Prakash Rishideo @ Prakash Kumar Son of Dasrath Rishideo
- Both are residents of Village - Nandanpur, P.S.- Bounsi, District - Araria.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Rana
For the Opposite Party/s : Mr.Dashrath Mehta

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 06-09-2019 Heard both sides.

The petitioners apprehend their arrest in Bounsi P.S. Case No.172 of 2018 registered under Sections 341, 323, 324, 307, 354B, 504, 506, 379 and 34 of the Indian Penal Code.

The informant named the petitioners along with other accused persons and alleged that they having armed with different weapons came. Dasrath Rishideo(petitioner No.1) is alleged to have assaulted the informant with sword on his head. Other accused persons also assaulted the informant and when the wife of the informant came to save, Prakash Rishideo(petitioner No.2) is alleged to have snatched Rs.4,000/- from the pocket of the informant.

The learned counsel for the petitioners submits that there is counter version being Bounsi P.S. Case No.175 of 2018. Kunti Devi lodged the counter case. The informant alleged that only Dasrath Rishideo assaulted him with sword on his head but from perusal of the injury report, it would appear that the



informant got as many as seven injuries. Of course, all the injuries are simple in nature but the informant did not explain how he got seven injuries on different parts of his body whereas he alleged that only Dasrath Rishideo assaulted him with sword on his head.

Taking into consideration the facts aforesaid and nature of allegation made against the petitioners and the fact that there is a case and counter case and the informant got simple injuries, let the petitioners, 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 Additional Chief Judicial Magistrate-VI, Araria in connection with Bounsi P.S. Case No.172 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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