

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57723 of 2019

Arising Out of PS. Case No.-41 Year-2019 Thana- PURUSHOTTAMPUR District- West
Champaran

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1. Chhotu, aged about 25 years, Male, Son of Hasantaj @ Sk. Hasantaj @ Sk. Hasamjad @ Mustan, Resident of Village-Bhedihari, P.S.-Purshottampur, District-West Champaran.
 2. Saheb @ Md. Saheb, aged about 28 years, Son of Hasantaj @ Sk. Hasantaj @ Sk. Hasamjad @ Mustan, Resident of Village-Bhedihari, P.S.-Purshottampur, District-West Champaran.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr.Bimlesh Kumar Pandey, Advocate.
For the Opposite Party : Mrs.Anita Kumari, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 12-09-2019 Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners seek bail in a case for the offence registered under Sections 341, 323, 324, 307 and 354/34 of the IPC.

The prosecution story, in brief, is that on 28.05.2019 at about 6.30A.M. co-accused Manish assaulted the son of the informant in school, anyhow, matter was pacified. After closing of the school, when her son was coming to his house then co-accused Manish caught him and assaulted with fists, when her elder son asked about the reason of assault, co-accused Hasantaj



ordered to kill her son. Accused persons assaulted both of them, co-accused Tunna attacked with 'Axe' on the head of her elder son due to which, he sustained injury. When the informant reached there to rescue her son then Saheb Mian (petitioner no. 2) caught her hair, dragged her on the ground and started assaulting her with leg. All the accused persons assaulted and abused the informant and threatened to kill her if she went to the police.

It has been submitted by learned counsel for the petitioners that the petitioners are languishing in custody since 18.06.2019. The petitioners have falsely been implicated in the present case. Charge sheet has been submitted in the present case. There is no allegation of tampering with the witnesses alleged against the petitioners. Saheb (petitioner no. 2) is alleged to have caught the hair of the informant and dragged her on the ground and started assaulting her with leg. Allegation of assault is against co-accused Tunna. Nature of injury is said to be simple. No offence under Section 307 of the IPC is made out.

On behalf of the State, it is submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners above named, be released on bail on furnishing



bail bonds of Rs.10,000/- (Ten Thousand) each with two sureties
of the like amount each to the satisfaction of the learned J.M. Ist
Class, Bettiah, West Champaran, in connection with
Purushottampur P.S. Case No. 41/2019.

(Sudhir Singh, J)

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