

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57407 of 2019

Arising Out of PS. Case No.-25 Year-2019 Thana- KESARIA District- East Champaran

1. SUNITA DEVI Wife of Umesh Sah Resident of Village - Benipur, P.S.- Kesaria, District - East Champaran
2. Umesh Sah Son of Indradeo Sah Resident of Village - Benipur, P.S.- Kesaria, District - East Champaran
3. Kamlesh Kumar Son of Umesh Sah Resident of Village - Benipur, P.S.- Kesaria, District - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma
For the Opposite Party/s : Mr.Upendra Kumar

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 17-09-2019 Heard both sides.

The petitioners apprehend their arrest in Kesaria P.S. case No. 25 of 2019 registered under Section 341, 323, 324, 307, 354B, 379, 504, 506/34 of the IPC.

The informant named the petitioners and alleged that while he was sitting at his cattle shed, wife of Umesh Sah came and started cleaning rapidly with broom. The informant asked her to clean slowly but wife of Umesh Sah assaulted him with broom. It is further alleged that Umesh Sah, Kamlesh Sah and Usha Kumari assaulted the informant after putting him down on the ground. When the family members of informant came to save they were also assaulted by the petitioners and others.

The learned counsel for the petitioners submits that there is counter version being Kesaria P.S. case No. 24 of 2019, which was registered on the basis of fard bayan of Sunita Devi,



petitioner No.1. The petitioners and informant are neighbours and on account of some petty dispute both engaged in scuffle with each other. It is further submitted that injuries found on the person of informant are abrasions and simple in nature.

It appears that both sides are neighbours and they engaged in scuffle with each other on account of some petty dispute. The injuries found on the person of informant are simple in nature.

Considering the facts aforesaid and nature of allegation made against the petitioners, the petitioners, above named, in the event of their arrest/ surrender before the court below within a period of four weeks from the date of receipt/ production of a copy of this order are directed to be enlarged on bail on their furnishing bail bond of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-III, East Champaran, Motihari in connection with Kesaria P.S. case No. 25 of 2019, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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