

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58896 of 2019

Arising Out of PS. Case No.-98 Year-2019 Thana- DHANAHA District- West Champaran

1. HEWANTI DEVI Wife of Surendra Kushwaha, Resident of Village-Dhawahiya, Police Station-Dhanaha, District-West Champaran.
2. Surendra Kushwaha Son of Ram Lal Kushwaha, Resident of Village-Dhawahiya, Police Station-Dhanaha, District-West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Zainul Abedin

For the Opposite Party/s : Mr.Dr. Ajeet Kumar

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 23-09-2019 Heard both sides.

Petitioners apprehend their arrest in Dhanaha P.S.

Case No.98 of 2019 registered under Sections 341, 323, 324,
354, 307, 379, 504 and 34 of the Indian Penal Code.

The informant named four persons including the
petitioners and alleged that they having armed with different
weapons came and began to abuse the informant and her
husband. Surendra Kushwaha assaulted her husband (Baliram
Kushwaha) with sickle on his head. Hewanti Devi (petitioner
no.1) snatched earring (made of gold worth Rs.8000/-) of the
informant.

Learned counsel for the petitioners submits that the



present case is counter blast of Dhanaha P.S. Case No.97 of 2019 registered on the basis of statement of petitioner no.1, Hewanti Devi. Petitioner no.2 is the husband of petitioner no.1. Both petitioners and other family members were brutally assaulted by Baliram Kushwaha and his family members. Annexure 2/1 series are the injury reports sustained by the petitioners and their family members. Baliram Kushwaha (the husband of the informant) got one lacerated wound on his right posterior superior side of head caused by hard and blunt object although the informant alleged that Surendra Kushwaha assaulted with sickle but no sharp cut injury was found.

Having considered the facts that there is a case and counter case and from the side of the petitioners, the petitioners and their family members were assaulted and the fact that Hewanti Devi got as many as seven injuries on different parts of her body whereas the husband of the informant got one injury, the above named petitioners, in the event of their arrest or surrender before the learned 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 furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M.,



Bagaha, West Champaran in connection with Dhanaha P.S. Case
No.98 of 2019, 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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