

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.64190 of 2019

Arising Out of PS. Case No.-175 Year-2019 Thana- MAIRWAN District- Siwan

1. RAMASIS RAJBHAR @ RAM ASHIS RAJ BHAR, aged about 50 years, Male, Son of Brij Mohan Ranhar @ Brijmohan Bhar, Resident of Village - Sewatapur, P.S.- Mairwa, Distt - Siwan
2. Shri Bhagwan Rajbhar @ Chhotak @ Shri Bhagwan Bhar, aged about 40 years, Male, Son of Brij Mohan Ranhar @ Brijmohan, Resident of Village - Sewatapur, P.S.- Mairwa, Distt - Siwan
3. Dharamdeo Rabhar @ Dharam Deo Raj Bhar, aged about 38 years, Male, Son of Brij Mohan Ranhar @ Brijmohan Bhar, Resident of Village - Sewatapur, P.S.- Mairwa, Distt - Siwan
4. Nirmal Devi @ Nirmala Devi, aged about 48 years, Female, Wife of Shri Bhagwan Ranjhar, Resident of Village - Sewatapur, P.S.- Mairwa, Distt - Siwan
5. Lalita Devi, aged about 38 years, Female, Wife of Ramasis Rajbhar, Resident of Village - Sewatapur, P.S.- Mairwa, Distt - Siwan

... Petitioners

Versus

The State of Bihar

... Opposite Party

Appearance :

For the Petitioners : Mr. Raghav Prasad, Adv.

For the Opposite Party : Mr. Raj Ballabh Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 22-10-2019 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the state.

The petitioners seek pre-arrest bail in connection with Mairwa P.S. Case No. 175 of 2019 registered under Sections 341, 323, 325, 379, 447, 307 and 34 of the Indian Penal Code.

The accusation is that petitioners started construction over the ancestral land of the informant, Satish Kumar Mishra. When informant made protest, the, petitioner no. 1, Ramasis Rajbhar @ Ram Ashis Raj Bhar, caused injury through piece of bamboo to him and he fell down. Thereafter, petitioner no. 2, Shri Bhagwan Rajbhar @ Chhotak @ Shri Bhagwan Bhar, gave the spade blow at his right thigh, Nirmala Devi (petitioner no. 4)



snatched the gold chain from his neck.

Submission is that while allegation has been made to cause injury to the informant by petitioners 1, 2 and 3, but, only one injury of diffuse swelling above right knee joint, caused by hard and blunt substance, was found. Further, submission is that while the occurrence is of 22.06.2019, but, the present case was lodged on 03.07.2019, after eleven days. Petitioners have no criminal antecedent.

Having regard to the facts and circumstances of the case, let the petitioners, above named, in the event of surrender/arrest, within a period of four weeks from today, in connection with Mairwa P.S. Case No. 175 of 2019 shall be released on bail on furnishing bail bonds of Rs.10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate, VII, Siwan, or the successor Court subject to the conditions as laid down under Section 438(2) Criminal Procedure Code.

(Rajendra Kumar Mishra, J)

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