

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81137 of 2019

Arising Out of PS. Case No.-119 Year-2018 Thana- SIDHWALIYA District- Gopalganj

1. ARJUN RAM Son of Jawahar Ram Resident of Village - Haluwar, P.s.- Sindhwaliya, Distt.- Gopalganj.
2. Gabedu Ram @ Gabdu Ram Son of Jawahar Ram Resident of Village - Haluwar, P.s.- Sindhwaliya, Distt.- Gopalganj.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mohammad Sufyan

For the Opposite Party/s : Mr.Shailendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 11-12-2019 Heard learned counsels for the parties.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 147,149,341,342,323,324,307,379 and 504 of the IPC.

The prosecution case got initiated on the basis of Fardbeyan recorded by ASI B.P. Ray of Gopalganj Town Police Station on 8.6.2018 at 6.30 P.M. at Sadar Hospital, Goplganj is to the effect that on the same day at 5.30 A.M. the informant was sweeping her door, in the meantime eight accused persons came armed with lathi and danda and started abusing the informant in the backdrop of a scuffle taken place between children of informant and petitioner at earlier point of time. It is



alleged that petitioner Arjun Ram assaulted the informant with sword causing cut injury. When the brother-in-law (Debar) of the informant, namely, Sunil Ram came to rescue, he was also assaulted by all the accused persons with iron rod. Thereafter, petitioner no. 2 assaulted Sunil Ram with iron rod on his head and when the husband of the informant came to rescue, he was also assaulted by the accused persons and the gold jewellery of the informant was also snatched by the FIR named accused persons.

It is submitted by learned counsel for the petitioners that in the background of petty dispute, the accusation has been levelled against the petitioner. There is counter version of the occurrence being Sindhwaliya P.S. Case No. 122 of 2018 under Sections 341,323,354,373 and 504/34 of the IPC by the petitioner no. 1 making accusation against the informant's side . The informant and her brother-in-law have received one injury each when the petitioners' side have also received injury but none of the injuries has been found grievous till date. Statement has been made in paragraph 3 of the petition that the petitioners are not having any criminal antecedent.

Learned APP submits that specific accusation has been levelled against the petitioners.



Considering the genesis of the occurrence, there being counter version of the occurrence and statement made in paragraph 3 of the petition that the petitioners are not having any criminal antecedent, let the petitioners above named be released on anticipatory bail in the event of arrest or surrender within 12 weeks on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned CJM, Gopalganj in connection with Sindhwaliya P.S. Case No.119 of 2018 subject to the conditions laid down in Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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