

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70855 of 2018

Arising Out of PS. Case No.-157 Year-2018 Thana- DHANAHA District- West Champaran

1. Parma Nishad Son of Yogendra Nishad,
2. Asha Devi, Wife of Mahendra Nishad,
3. Lahwar Nishad, Son of Suren Nishad,
4. Dilip Nishad, Son of Yogendra Nishad,
All resident of Village- Barwa Baira Tola Baira Tola Barwa, P.S.- Dhanaha,
District- West Champaran.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anand Kishore Choudhary
For the Opposite Party/s : Mr.Sri Ramchandra Sahani

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 10-04-2019 Heard the parties.

At the very outset the learned counsel for the petitioners submitted that he is not pressing the application with respect to petitioner no.1 (Parma Nishad) as such the application with respect to petitioner no.1 is dismissed as withdrawn.

So far petitioner nos. 2 to 4 are concerned, they are apprehending their arrest in connection with Dhanha P.S.Case no.157 of 2018 , registered for offences punishable under Sections 147, 304, 323, 341, 447, 448, 149, 504 and 506 of the Indian Penal Code.



Allegation as per Fir is that there was scuffle between the children of the parties and thereafter the accused persons including the petitioner reached at the house of the informant armed with *lathi* and assaulted the informant and also his wife and the wife of his younger brother and further allegation is that accused Pappu Nishad assaulted the informant's father by means of *lahti* . It is also stated that thereafter they had gone for treatment and when they returned they came to know that his father was unconscious and he was taken to the hospital and on way he died.

Submission of the learned counsel for the petitioners is that from the FIR itself it appears that no specific allegation has been attributed against any of the petitioners and furthermore, so far allegation of assault against the deceased is concerned that is against one Pappu Nishad.

Heard learned A.P.P. and the learned counsel for the informant. They have opposed the prayed for bail.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioner nos. 2 Asha Devi, 3. Lahwar Nishad and 4. Dilip Nishad in the event of arrest or surrender before the court below within a period of six weeks from the date of order be released on bail on furnishing



bail bond of Rs.25,000/- (Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned ACJM Ist Bagaha, West Champaran in connection with Dhanha P.S.Case No.157 of 2018, subject to condition as laid down under Section 438 (2) of the Code of Criminal Procedure.

Accordingly, this application is disposed of

(Vinod Kumar Sinha, J)

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