

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1884 of 2020

Arising Out of PS. Case No.-165 Year-2019 Thana- NAUTAN District- Siwan

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1. Sanjay Sah @ Sanjay Kumar Sah, aged about 46 years, Gender-Male
 2. Manoj Sah, aged about 35 years, Gender – Male, both sons of Late Bihari Sah @ Awadh Bihari Sah
 3. Sumit @ Pintu @ Sumit Kumar, aged about 20 years, Gender – Male, S/o Manoj Sah
 4. Ravindra Sah @ Ravindra Kumar Sah, aged about 30 years, Gender – Male, S/o Late Bihari Sah @ Awadh Bihari Sah
 5. Asha Devi, aged about 40 years, Gender – Male, W/o Sanjay Sah, all are residents of Village- Angauta Pandey Tola, Pachlakhi, P.S.- Nautan, Distt-Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bijay Prakash Singh, Advocate
For the Opposite Party/s : Mr.Rabindra Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 27-02-2020 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Nautan P.S. Case No. 165 of 2019 registered for the offences punishable under Sections 341, 323, 324, 307, 435, 34 of the Indian Penal Code and Section 27 of the Arms Act.

Prosecution story on the basis of fardbyan of the informant, namely, Mala Devi recorded by S.I. Indra Deo Mahto, P.S.- Nautan on 08.10.2019 at 21.10 P.M. at Emergency



Ward, Sadar Hospital, Ward No.1, Siwan, stating therein that on 08.10.2019 at 16.00 hrs that co-accused namely Raghvendra Sah made fire upon her which was hit upon her right hand due to which she sustained injury and unconscious. It is further alleged that in unconscious condition, she brought to Sadar Hospital Siwan where her treatment is going on. It is further stated the accused petitioner nos.1 to 4 committed mar-pit with her Gotani due to which she (her gotani) sustained injury. It is further stated that the petitioner no.5 set fire in her Bathan (Khop) where wheat was kept.

Learned counsel for the petitioners submits that the petitioners are quite innocent and have committed no offence. Petitioners are named in the F.I.R. and there is no specific allegation against the petitioners. The specific allegation of made firing is attributed against by one Raghvendra Sah, but from the injury report, the doctor has not found any fire arm injury upon her hand and the injury is simple in nature caused by hard blunt substance. He further submits that the petitioners have got no criminal antecedent.

In the facts and circumstances of the case, let the above named petitioners be released on bail, in the event of arrest or surrender before the learned Court below within a



period of six weeks from today, on furnishing bail bond of Rs. 20,000/- (twenty thousand) each with two sureties of the like amount each to the satisfaction of Smt. Hena Mustafa, Judicial Magistrate-1st Class, Siwan in connection with Nautan P.S. Case No. 165 of 2019, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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