

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29150 of 2020

Arising Out of PS. Case No.-90 Year-2020 Thana- GUTHANI District- Siwan

1. Awadhesh Rajbhar aged about 48 years S/o Bhola Rajbhar Resident of Village-Selhar, P.S.-Guthani, District-Siwan.
2. Mantu Rajbhar aged about 27 years S/o Sanjay Rajbhar Resident of Village-Selhar, P.S.-Guthani, District-Siwan.
3. Chhathu Rajbhar aged about 25 years S/o Sanjay Rajbhar Resident of Village-Selhar, P.S.-Guthani, District-Siwan.
4. Mithun Rajbhar aged about 20 years S/o Sanjay Rajbhar Resident of Village-Selhar, P.S.-Guthani, District-Siwan.
5. Indu Devi aged about 48 years W/o Sanjay Rajbhar Resident of Village-Selhar, P.S.-Guthani, District-Siwan.
6. Sunita Devi aged about 44 years W/o Awadhesh Rajbhar Resident of Village-Selhar, P.S.-Guthani, District-Siwan.
7. Manju Devi aged about 40 years W/o Hareesh Rajbhar Resident of Village-Selhar, P.S.-Guthani, District-Siwan.
8. Chinta Devi aged about 36 years W/o Umesh Rajbhar Resident of Village-Selhar, P.S.-Guthani, District-Siwan.
9. Buchhi Devi @ Bachhi Devi aged about 28 years W/o Pankaj Rajbhar Resident of Village-Selhar, P.S.-Guthani, District-Siwan.
10. Umesh Rajbhar aged about 49 years S/o Bhola Rajbhar Resident of Village-Selhar, P.S.-Guthani, District-Siwan.

... .. Petitioners

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr.Krishna Kant Singh, Advocate

For the Opposite Party : Mr. Permanand Kumar, Addl Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 04-12-2020 Heard learned counsel for the petitioners as well as learned Additional Public Prosecutor for the State through Video conferencing.

Petitioners apprehend their arrest in a case registered for the offence punishable under Section 307 and other allied



sections of the Indian Penal Code.

Prosecution's case in short is that on 18.4.2020 at 7 am the petitioners and other accused persons, named in the FIR, came to the shop of the informant, dragged her outside by catching hold of her hair and started assaulting her by lathi, danda etc. Petitioner no.3 sat on her chest and torn her Sari and blouse. Co-accused Haresh Rajbhar gave Tangi blow on her head causing head injury, whereas petitioner no.10 assaulted her father when he came to rescue her. Accused persons also assaulted informant's mother when she tried to save the informant. Petitioner no.3 caused injury on the eye of informant's sister.

Learned counsel appearing for the petitioners submits that there is previous land dispute between the parties due to which the informant has implicated all the family members of the petitioners including female inmates (petitioners no. 5 to 9). There is general and omnibus allegation. It is also submitted that the informant received only one injury which was simple in nature. As per injury report (Annexure 3 series) injuries caused by petitioners no.10 and 3 to the informant's father and mother respectively have also been found to be simple in nature.

Considering the facts of the case, in the event of



arrest/surrender, let all the ten petitioners, named above, be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Siwan in Guthani Police Station Case No. 90 of 2020, subject to the conditions laid down under sections 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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