

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81848 of 2019

Arising Out of PS. Case No.-20 Year-2017 Thana- DUMARIAGHAT District- East
Champaran

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1. Raghav Singh, S/o Ramginish Singh R/o village- Dumariya, P.S.- Dumariyaghat, Distt.- East Champaran (Motihari)
 2. Sachin Singh S/o Raghav Singh R/o village- Dumariya, P.S.- Dumariyaghat, Distt.- East Champaran (Motihari)
 3. Bhulan Raut @ Bhutan Raut S/o Chawlochan Raut R/o village- Dumariya, P.S.- Dumariyaghat, Distt.- East Champaran (Motihari)
 4. Nitish Kumar Patel S/o Bhelan Rawat @ Bhutan Raut R/o village- Dumariya, P.S.- Dumariyaghat, Distt.- East Champaran (Motihari)
 5. Abhay Singh S/o Tapan Singh R/o village- Dumariya, P.S.- Dumariyaghat, Distt.- East Champaran (Motihari)

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar

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

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

3 22-06-2020 Heard learned counsel for the petitioners and the learned A.P.P. for the State through video conferencing.

The petitioners apprehend their arrest in connection with Dumariaghat P.S. Case No. 20 of 2017, registered under Sections 147, 447, 341, 323, 324, 307, 354 and 379 of the Indian Penal Code and Section 3 / 4 of Daain Act.

The accusation is that in the morning of 23.01.2017, the petitioners along with Prabha Devi variously



armed with weapon came at the Bathan of informant Kanti Devi and, at that time, Raghav Singh (Petitioner No.1) started to abuse her and asked to kill then all started assaulting her, as a result thereof, she sustained blood oozing injury. Thereafter, all laid her on the ground and her clothes were unfolded. At that time, Sachin Singh (Petitioner No.2) snatched her silver locket from her neck, Prabha Devi took her Batua from her blouse containing Rs. 1100/-. On hearing hulla, the villagers rushed there and informant has been saved.

Learned counsel for the petitioners submits that the occurrence of Marpit took place due to petty dispute in which petitioners' side also sustained injury regarding which Dumariyaghat P.S. Case No. 14 of 2017 was instituted on 23.01.2017 on the same day under Sections 341, 323, 324, 307, 384 of the I.P.C. and Section 27 of the Arms Act by Raghav Singh (Petitioner No.1). But, with ulterior motive, the informant managed to lodge the present case after eight days of the occurrence. Moreso, the injury as found on the person of informant is of simple in nature. The petitioners have no criminal antecedent.

Having regard to the facts and circumstances of the case, let the above named petitioners, be released on bail, in the



event of their arrest or surrender before the learned Court below within a period of four weeks from today, 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 A.C.J.M-I, Motihari in connection with Dumariaghat P.S. Case No. 20 of 2017, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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