

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.115 of 2021

Arising Out of PS. Case No.-173 Year-2018 Thana- JALALPUR District- Saran

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1. Rina Devi, W/o Surendra Singh, Resident of Village - Sakaddi Koirigawa, P.S.- Jalalpur, Distt.- Saran.
 2. Rinku Devi, W/o Harindra Singh, Resident of Village - Sakaddi Koirigawa, P.S.- Jalalpur, Distt.- Saran.
 3. Bidyawati, W/o Santosh Singh, Resident of Village - Sakaddi Koirigawa, P.S.- Jalalpur, Distt.- Saran.
 4. Jang Bahadur Singh, Son of Shivjee Singh, Resident of Village - Sakaddi Koirigawa, P.S.- Jalalpur, Distt.- Saran.
 5. Harindra Singh, Son of Jang Bahadur Singh, Resident of Village - Sakaddi Koirigawa, P.S.- Jalalpur, Distt.- Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Singh, Advocate
For the Opposite Party/s : Ms. Nirmala Kumari, APP

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 06-08-2021 As prayed for, let the learned counsel appearing for the petitioners remove the defect(s), as pointed out by the office, within four weeks of starting of the Court proceeding in physical mode in normal course.

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 Jalalpur P.S. Case No. 173 of 2018, registered under Sections 323, 325, 307, 354 and 148 of the Indian Penal Code.



The accusation is that complainant-informant, Rameshwar Mahto, was cutting fodder in the noon of 15.05.2018. At that time, Jang Bahadur Singh (petitioner no.4), Santosh Singh, Harindra Singh (petitioner no.5), Surendra Singh and Bidyawati Devi (petitioner no.3) surrounded him and started to abuse. When complainant-informant tried to flee away but Surndra Singh gave spade blow causing injury at his left shoulder, on which, he fell down then Harendra Singh (petitioner no.5) caused injury through lathi at his left leg. When Sita Devi and Badamo Devi, daughter-in-law and wife of informant, rushed to save him then they were also assaulted. Thereafter, Sntosh Singh pulled the sari of his daughter-in-law, Sita Devi and Jang Bahadur Singh (petitioner no.4) also caused injury to his wife, Badamo Devi. At that time, Bidyawati Devi (petitioner no.3), Rinku Devi (petitioner no.2) and Rina Devi (petitioner no.1) started pelting bricks and stones then villagers rushed there and save them.

Learned counsel for the petitioners submits that occurrence of *Marpit* took place due to putting garbage on public road, in which, petitioners' side also sustained injury, regarding which, Jalalpur P.S. Case No. 224 of 2018 is also instituted on the basis of Fradebyan of co-accused Surendra



Prasad against the informant. Moreover, the three injuries, as found on the person of the informant, are simple in nature.

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 six 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.-V, Saran at Chapra, in connection with Jalalpur P.S. Case No. 173 of 2018, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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