

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2293 of 2021

Arising Out of PS. Case No.-81 Year-2020 Thana- DHANAHA District- West Champaran

1. Sudarshan Turha, Son of Gupta Turha, Resident of Village-Ghewadahi, P.S - Dhanaha District- West Champaran
2. Malti Turha, Wife of Sudarshan Turha, Resident of Village-Ghewadahi, P.S - Dhanaha District- West Champaran
3. Subhash Turha @ Motilal Turha, Son of Sudarshan Turha, Resident of Village-Ghewadahi, P.S - Dhanaha District- West Champaran
4. Madhu Kumari, D/O Sudarshan Turha, Resident of Village-Ghewadahi, P.S - Dhanaha District- West Champaran
5. Rinki Kumari @ Rinku Kumari, D/O Sudarshan Turha, Resident of Village-Ghewadahi, P.S - Dhanaha District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mitali, Advocate.
For the Opposite Party/s : Mr. Lalan Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 15-09-2021 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 Dhanaha P.S. Case No. 81 of 2020, registered under Sections 341, 323, 307, 379, 504 and 506/34 of the Indian Penal



Code.

The accusation is that on 05.05.2020, at about 9 A.M., informant, Sunita Devi, was digging the soil to clear the rainy water. At that time, Sudarshan Turha (petitioner no.1), his wife Malti Turha (petitioner no.2) and Subhash Turha (petitioner no.3) came there and made protest saying to stop the soil cutting from their land. At that time, they all started to abuse and cause assault to her, her daughter and son. In the meantime, Durgesh Turha, Rinku Kumar (petitioner no. 5) and Madhu Kumari (petitioner no.4) came there and started to assault, in which, her husband sustained injury. At that time, Sudarshan Turha (petitioner no.1) snatched *Mangalsutra* from her neck.

Learned counsel for the petitioners submits that, in fact, scuffle took place in between the informant and the petitioners in course of cutting the soil by the informant, in which, petitioners' side also sustained injury, regarding which, Dhanaha P.S. Case No. 80 of 2020 is also instituted on the basis of Fradebyan of petitioner no. 1 against the informant and others. Further submission is that 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 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 S.D.J.M., Bagaha, West Champaran, in connection with Dhanaha P.S. Case No. 81 of 2020, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

Bhardwaj/-

(Rajendra Kumar Mishra, J)

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