

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1109 of 2021

Arising Out of PS. Case No.-92 Year-2020 Thana- SISWAN District- Siwan

1. Vijay Kumar Sah @ Vijay Sah, S/O Late Ganga Bishun Sah, Reisident of Village Ramgarh, P.S. Siswan, District-Siwan.
2. Rajesh Kumar Sah @ Rajesh Sah @ Budhan Sah, S/O Late Ganga Bishun Sah, Reisident of Village Ramgarh, P.S. Siswan, District-Siwan.
3. Chandan Kumar Prasad @ Chandan Sah, S/O Vijay Kumar Sah @ Vijay Sah, Reisident of Village Ramgarh, P.S. Siswan, District-Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anju Kumari, Advocate.
For the Opposite Party/s : Mr. Anil Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 27-08-2021 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 petitioner apprehends his arrest in connection with Siswan (Chainpur O.P.) P.S. Case No. 92 of 2020, registered under Sections 341, 323, 324, 354, 379, 307, 504 and 506/34 of the Indian Penal Code.

The accusation is that informant, Devanti Devi, was



sitting at the back of his house. At that time, five persons named in the FIR including the petitioners variously armed with weapons came there and started to abuse. When the informant made protest then Chandan Sah (petitioner no.3) gave Farsa blow causing injury at her head. When her both sons, Arjun Sah and Bhim Sah came to save her then Ranjay Sah gave *Dav* blow causing injury at the head of her son, Arjun Sah and Rajesh Sah @ Budhan Sah (petitioner no.2) assaulted to Bhim Sah through lathi causing injury at his leg, who fell down. Thereafter, Dhananjay Sah gave sword blow to Bhim Sah causing injury at his head.

Learned counsel for the petitioners submits that, in fact, petitioners and the informant are co-villagers and due to some dispute occurrence of Marpit took place, in which, petitioners' side also sustained injury regarding which, Siswan (Chainpur O.P.) P.S. Case No. 91 of 2020 was also instituted on the basis of Fradbeyan of petitioner no.3 against the informant and others. Further submission is that the injuries as found on the person of the informant and her sons 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 J.M. Ist Class, Siswan, in connection with Siswan (Chainpur O.P.) P.S. Case No. 92 of 2020, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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