

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30415 of 2021

Arising Out of PS. Case No.-436 Year-2020 Thana- GHORASAHAN District- East
Champaran

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Durga Devi Wife of Sikendra Rai Resident of Village - Nimuiya, P.S.-
Ghorasahan, District - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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with
CRIMINAL MISCELLANEOUS No. 31049 of 2021
Arising Out of PS. Case No.-436 Year-2020 Thana- GHORASAHAN District- East
Champaran

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Sikendra Rai Son of Late Thakur Rai Resident of Village- Nimuiya, P.S. -
Ghorasahan, District - East Champaran.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

(In CRIMINAL MISCELLANEOUS No. 30415 of 2021)

For the Petitioner/s : Mr. Abhishek Kumar

For the Opposite Party/s : Mr. A.G.

(In CRIMINAL MISCELLANEOUS No. 31049 of 2021)

For the Petitioner/s : Mr. Abhishek Kumar

For the Opposite Party/s : Mr. A.G.

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 22-03-2022 Heard learned counsel for the petitioners,

informant and learned APP for the State.

The petitioners are apprehending their arrest in a

case registered for the offences punishable under Sections

341, 323, 307, 379, 504, 506, 34 of the Indian Penal Code.

Subsequently Section 302 I.P.C was also added.



It is a case of assault to the informant by the accused persons including the petitioners by means of lathi, iron rod and hasua. The informant subsequently succumbed to the injuries.

It is submitted by learned counsel for the petitioners that petitioner Sikindra Rai is not named in the F.I.R and there is no specific overt act against petitioner Durga Devi. According to the prosecution case, the informant was assaulted by Yogi Sah and Pukar Rai, not these petitioners. There is general and omnibus allegation against the petitioners. From perusal of the postmortem report, it appears that cause of death is due to hemorrhage and shock.

In the facts and circumstance of the case, let the petitioners, above named, in the event of their arrest or surrender before the Court below within a period of four weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/-(Ten Thousands) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Motihari, East Champaran in connection with Ghorasahan P.S. Case No.



436 of 2020, subject to the conditions as laid down under
Section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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