

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31106 of 2021**

Arising Out of PS. Case No.-196 Year-2020 Thana- RAGHUNATHPUR District- Siwan

1. JITENDRA KUMAR @ JITENDRA SAH S/O AVTAR SAH @ ATVARU SAH R/O VILLAGE-SANTHI, P.S.-RAGHUNATHPUR, DISTRICT-SIWAN.
2. RAM NARESH CHAUHAN @ NARESH CHAUHAN S/O DHORA CHAUHAN R/O VILLAGE-SANTHI, P.S.-RAGHUNATHPUR, DISTRICT-SIWAN.
3. AVTAR SAH @ ATVARU SAH S/O GULAB CHAND SAH R/O VILLAGE-SANTHI, P.S.-RAGHUNATHPUR, DISTRICT-SIWAN.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjeet Kumar, Advocate.

For the Opposite Party/s : Mr. Md. Nazir Ansari, APP.

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

2 19-01-2022 Heard Mr. Ranjeet Kumar, learned Advocate for the petitioners and Mr. Md. Nazir Ansari, learned Additional Public Prosecutor for the State.

The petitioners seek bail in anticipation of their arrest in connection with Raghunathpur P. S. Case No. 196 of 2020 instituted for the offences under Sections 147, 148, 149, 341, 323, 324, 307 and 504 of the Indian Penal Code.

It has been alleged in the F.I.R. that when the



informant protested against the construction of a wall on her land, all the accused persons assaulted the informant and her family members by means of lathi, danda etc. It is further alleged that one Dharmendra Sah assaulted the son of the informant by means of a sharp edged weapon, as a result of which he died during the course of treatment.

The learned counsel for the petitioners has submitted that they come from the same family as that of aforesaid Dharmendra Sah; hence they have also been made accused in this case. Some of the other accused persons, though ladies, have been granted anticipatory bail in this case by a different Bench of this Court. Learned counsel for the petitioners has submitted that there is neither common object nor common intention of the petitioners and the occurrence has taken place on the spur of the moment.

Considering the afore-noted facts, the petitioners are directed to be released on bail, in the event of their arrest or surrender before the learned Court below within a period of four weeks from the date of receipt/production of a copy of this order, on their furnishing bail bonds in the sum of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned ACJM-VIII, Siwan in connection



with Raghunathpur P.S. Case No. 196 of 2020, subject to the
condition as laid down under Section 438 (2) Cr. P.C.

The application stands allowed.

(Ashutosh Kumar, J)

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