

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70019 of 2021

Arising Out of PS. Case No.-16 Year-2020 Thana- DHAMDAHA District- Purnia

1. Bhola Sah @ Pradeep Sah Son Of Late Shambhu Sah Resident Of Village Bari Tarouni, P.S. Dhamdaha, District - Purnea.
2. Durga Sah @ Durga Kumar Sah Son Of Late Shambhu Sah Resident Of Village Bari Tarouni, P.S. Dhamdaha, District - Purnea.
3. Tilak Sah @ Tilak Kumar Sah Son Of Late Shambhu Sah Resident Of Village Bari Tarouni, P.S. Dhamdaha, District - Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ram Prawesh Kumar

For the Opposite Party/s : Mr.Satyendra Prasad

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 25-04-2022 Heard learned counsel for the petitioners and the State.

Petitioners seek regular bail in a case registered for the offence punishable under sections 307/34 and other ancillary sections of the Indian Penal Code.

As per the prosecution case, petitioner no.1 entered the house of informant, abused him and on protest he assaulted his son with bamboo stick. Meanwhile, petitioner nos. 2, 3 and 10 to 15 other accused persons armed with lathi assaulted the informant and his family members. Petitioner no. 3 assaulted the informant and his family members with iron rod. Accused persons also took away Rs.24,320/- from the house of the informant.

Learned counsel for the petitioners submits that the



petitioners are innocent and have falsely been implicated in this case due to previous enmity. Present case is counter blast of Dhamdaha Police Station Case No. 17 of 2020 lodged by the wife of petitioner no.1 against family members of the present informant. Initially, FIR was registered for the offence punishable under sections 323, 361, 325, 379, 504 and 34 IPC against the petitioner. However, after investigation, police submitted charge sheet for the offence under sections 323, 341, 325, 307, 504/34 IPC, thereafter, court below took cognizance of the offence, and after issuing show cause notice cancelled their bail bond. Petitioners claim clean antecedent and they are in custody since 17.9.2021.

Considering the aforesaid facts and circumstances of the case, prayer for bail of the petitioners is allowed. Let all the petitioners, as named above, be enlarged on bail on furnishing bail bond of Rs.10,000/-(ten thousand) each with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate, IV, Purnea in Dhamdaha Police Station Case No. 16 of 2020.

(Prabhat Kumar Singh, J)

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