

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34985 of 2023

Arising Out of PS. Case No.-44 Year-2022 Thana- DUMARIAGHAT District- East
Champaran

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1. ARTI KUMARI @ ARTHI KUMARI Daughter of Gopal Sahani Resident of Village - Sarotar, P.S.- Dumariyaghat, District - East Champaran
 2. Indrajit Tiger @ Indrajit Kumar Son of Gopal Sahani Resident of Village - Sarotar, P.S.- Dumariyaghat, District - East Champaran
 3. Jilajit Sahani Son of Gopal Sahani Resident of Village - Sarotar, P.S.- Dumariyaghat, District - East Champaran
 4. Hitler Kumar Son of Gopal Sahani Resident of Village - Sarotar, P.S.- Dumariyaghat, District - East Champaran
 5. Omjit Kumar @ Omjeet Kumar Son of Gopal Sahani Resident of Village - Sarotar, P.S.- Dumariyaghat, District - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar
For the Opposite Party/s : Mr. Kalyan Shankar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 25-07-2023 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 341, 323, 324, 307, 504, 506 and 379/34 of the Indian Penal Code pending in the learned court below.

3. As per the prosecution case, all the accused persons including the petitioners came at the door of the informant and started abusing. In the meantime, Indrajit Tiger assaulted on the



head of the informant by means of knife. Hitlar Sahani assaulted on the head of the Dilip Sahani by means of iron rod, Bacchi Devi assaulted on the head of the Sanjay Sahani by means of Tekari. Arti Kumari assaulted on the head of the informant Yadolal Sahani causing injury on his right eye.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. He further submits that there is case and counter case between the parties. He submits that the injuries found upon the victims are simple in nature which is clear from the impugned order itself. He further submits that both the parties are agnates, and there is dispute regarding the path between the parties. He further submits that petitioner nos. 1, 3, 4 & 5 have got no criminal antecedent and petitioner no.2 has got one criminal antecedent as stated in para-3 of the bail application.

5. Learned APP for the State opposes the prayer for bail.

6. Considering the nature of the injuries, let the petitioners, named above, in the event of their arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail, on furnishing bail bonds of Rs.25,000/- (Rupees Twenty Five Thousand) each with



two sureties of the like amount to the satisfaction of the learned Court below, where the case is pending/Successor court, in connection with Dumariyaghat P.S. Case No.44/2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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