

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44654 of 2023

Arising Out of PS. Case No.-50 Year-2023 Thana- CHOUTARWA District- West Champaran

1. RAJESHWAR SAH S/O LATE DWARIKA SAH R/O Englishiya, P.S- Chautarwa, Distt.- West Champaran.
2. Banka Sah S/O Late Gopi Sah R/O Englishiya, P.S- Chautarwa, Distt.- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mithilesh Kumar

For the Opposite Party/s : Ms. Nirmala Kumari

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

3 08-09-2023 Heard learned counsel for the petitioners as well as the learned APP for the State.

2. The petitioners apprehend their arrest in connection with Chautarwa P.S. Case No. 50 of 2023, registered for the offences punishable under Sections 341, 323, 379, 324, 325, 307, 354, 427, 506, 34 of the Indian Penal Code.

3. As per allegation, on 18.02.2023 in the morning the informant found his tractor's trolley missing from his *darwaza* and on search he saw that at a vacant place all the accused persons including the petitioners were opening the wheel of trolley with intention to commit theft. On protest, all the accused persons assaulted the informant. The petitioners assaulted the informant with iron rod and *farsa* and made him injured.



4. Learned counsel for the petitioners has submitted that there is case and counter case and members of the defense side also suffered injuries. He has further submitted that two injuries on Shankar Sah was found simple in nature whereas the third is swelling of ulna which was found to be grievous in nature which is not attributed against the petitioners.

5. On the other hand, learned APP for the State has opposed the prayer for bail.

6. Considering the above-mentioned facts and circumstances, let the petitioners, in the event of their arrest or surrender within four weeks before the learned court below, be released 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 learned A.C.J.M. 1st, Bagaha, West Champaran in connection with Chautarwa P.S. Case No. 50 of 2023, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Nawneet Kumar Pandey, J)

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