

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48010 of 2015

Arising Out of PS.Case No. -142 Year- 2015 Thana -NAUHATTA District- SAHARSA

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1. Birendra Sah Son of Late Jagdish Sah
2. Sulekha Devi wife of Birendra Sah Both resident of village- Ketna Ghat,
P.S. & District- Supaul

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjeev Verma, Adv.

For the Opposite Party/s : Mr. U.L.Verma(App)

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 15-10-2015 Heard learned counsel for the petitioners Mr. Sanjeev Verma
and learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with
Nauhatta P.S. Case No. 142 of 2015 registered for offences
punishable under Sections 147,341,504,384,323,354,379,427 of
the Indian Penal Code.

The prosecution case in short is that the informant in his
written report stated that on 27.06.2015 when he was getting his
incomplete house filled with soil all the accused persons arrived at
there on auto-rickshaw and abused him and demanded Rs.
50,000/- as extortion. The accused persons assaulted him by
sticks. On protest by his wife and son the accused persons also
assaulted them. Birendra Sah snatched Rs. 5,000/- from the pocket

of his son and also snatched golden chain of his wife.

It has been submitted by the counsel for the petitioners that there is a land dispute between the parties and a counter case bearing Nauhatta P.S. Case No. 150 of 2015 has been lodged by the Petitioner no. 2 against the informant and others. It has further been submitted that the petitioners are persons of clean antecedent as stated in Para 3 of this petition. Further more it has been submitted that the allegations on the petitioners are general and omnibus and no specific overt act can be attributed against the petitioners

Be that as it may, let the petitioners, namely, Birendra Sah and Sulekha Devi, in the event of his arrest / surrender within a period of four weeks from today before the Court below, be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Saharsa in connection with Nauhatta P.S. Case No. 142 of 2015 subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

(Nilu Agrawal, J)

Prakash/-

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