

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21716 of 2016

Arising Out of PS.Case No. -343 Year- 2015 Thana -SHIVSAGAR District- SASARAM
(ROHTAS)

- =====
1. Shankar Bind Son of Chaturi Bind
 2. Nand Kishore Bind Son of Shankar Bind
 3. Vidya Sagar Bind @ Vidya Sagar Kumar Son of Shankar Bind
 4. Suryamani Devi W/o Shankar Bind All resident of village - Rampur,
Police Station Sheosagar, District - Rohtas

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Tiwary

For the Opposite Party/s : Mr.M. Dayal (App)

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

2 19-05-2016

Heard both sides.

The petitioners apprehend their arrest in connection with Sheo Sagar P.S. case no. 343 of 2015, registered under Sections 323,379,354,406,420 and 504/34 of the IPC.

Initially, the complaint was lodged on 10.08.2015 in relation to the occurrence of 01.08.2015. It is alleged on oral *rehan* the land was given to the complainant/informant and a sum was advanced. The accused did not return the money and also tried to forcibly plough the field. When objected, it is alleged, that petitioner no.1 tried to outrage the modesty of the wife of the informant . Petitioner nos. 2 and 3 are only alleged to have taken



away the spades. Against the petitioner no.4 the ornamental allegations of committing theft of Hasuli is alleged. There is counter version in the shape of a complaint which again was treated as an FIR lodged by petitioner no.4 against the present prosecution side which if considered in the light of the allegations made in the present case makes the prosecution case somewhat questionable. The counter version explains to some extent the background in which the occurrence had taken place.

In the facts and circumstances of the case, this Court is inclined to extend the privilege of anticipatory bail to the petitioners. Let the petitioners, named above, in the event of their arrest/surrender before the learned Court below within a period of four weeks from today, be released 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, Rohtas at Sasaram in connection with Sheo Sagar P.S. case no. 343 of 2015, subject to the condition as laid down under Section 438 (2) of the Cr.P.C. with following conditions:-

- (i) One of the bailors shall be the own/close family member of the petitioner(s).
- (ii) As soon as the charges are framed the petitioner(s) shall appear in person before the

trial court on the date(s) fixed at the trial. In case of default in such appearance on two consecutive dates, the trial Court shall have liberty to cancel the bail bonds of the petitioner(s) and secure their arrest in accordance with law.

(Kishore Kumar Mandal, J)

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