

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8091 of 2016

Arising Out of PS.Case No. -357 Year- 2015 Thana -DIGHA District- PATNA

=====

1. Geeta Devi @ Smt. Geeta Devi W/o Ashok Singh @ Ashok Kumar Sinha
2. Saurabh Kumar S/o Ashok Singh @ Ashok Kumar Sinha
3. Sandhya Kumari D/o Ashok Singh @ Ashok Kumar Sinha All residents of Mohalla - Kurji Balupar, Gate No. 82, P.S. - Digha, District - Patna.

.... Petitioners

Versus

The State of Bihar.

.... Opposite Party

=====

Appearance :

For the Petitioner/s : Mr. Anil Kumar No.1, Advocate
For the Opposite Party/s : Mr. Ram Shankar Das, A.P.P.

=====

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 24-02-2016 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners apprehend their arrest in connection with Digha P.S. Case No. 357 of 2015 registered for the offences punishable under Sections 341, 448, 323, 354, 387, 504 and 506 of the Indian Penal Code and Sections 3 (I)(II)(III) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities), Act, 1989.

The prosecution case is that one Radha Kumari submitted a written report before the Police, alleging therein that on 10.11.2015 Gita Devi, Sandhya Kumari and Saurabh Kumar, entered into her house, assaulted her husband and brother, namely Vidya Sagar Choudhary, and Sharwan Kumar respectively, and,

demanded Rs. 5,00,000/- as Rangdari. The informant further stated that they uttered Sala Pasi and threatened of dire consequences on non-fulfillment of demand. The informant suspected that they would kill her husband Vidya Sagar Chaudhary.

It has been submitted by learned counsel for the petitioners that they are innocent and have been falsely implicated by the informant's side due to personal enmity. The Counsel for the petitioners contends that there is a land dispute between the parties and a Title Suit No. 124 of 2015 is pending in the Court of Sub Judge-1st, Patna, which has been filed by the petitioner no. 3 for cancellation of two sale deeds, executed in favour of the husband of the informant by the father of petitioner nos. 2 and 3 and the husband of petitioner no. 1. He submits that the allegation is also in the First Information Report for withdrawal of the said case. Counsel for the petitioners furthermore submits that they have no criminal antecedent as is evident from para 3 of this petition and no case under Sections 3 (I)(II)(III) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities), Act, 1989 is made out against these petitioners. However, learned A.P.P. for the State opposes the prayer for bail as the petitioners are named in the First Information Report.

Be that as it may, let the petitioners, above named, in the event of their arrest or surrender within a period of six weeks from today before the Court below be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand only) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Patna in connection with Digha P.S. Case No. 357 of 2015, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Nilu Agrawal, J)

Vats/-

U		T	
---	--	---	--