

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46364 of 2016

Arising Out of PS.Case No. -135 Year- 2014 Thana -CHIRAIYA District-
EASTCHAMPARAN(MOTIHARI)

- =====
1. Sanju Devi Wife of Brij Mohan Sah.
 2. Sakali Devi Wife of Raj Banshi Sah.
 3. Uday Sah, Son of Jawala Sah.
 4. Brij Mohan Sah Son of Raj Banshi Sah resident of Village- Sitalpatti,
P.S.- Chiraiya, District- East Champaran.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Umesh Chandra Verma, Advocate.

For the Opposite Party : Mr. Ram Bilash Roy Raman, APP.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 30-11-2016

Heard both sides.

The petitioners apprehend their arrest in Chiraiya P.S. Case No. 135 of 2014 registered for the offences punishable under Sections 147, 148, 149, 341, 332, 333, 353, 427 and 504 of the Indian Penal Code.

The Sub-inspector of Chiraiya Police Station alleged that he went to the house of Rinki Devi along with other police personnel in connection with a case registered under Section 498A of the Indian Penal Code but all the petitioners started pelting stones and that is why the informant and another police official could not investigate the case.

Learned counsel for the petitioners submits that the C.O. submitted a report to the Sub-Divisional Magistrate, Sikrahana, Dhaka that Jairam Singh, the informant, ASI of Chiraiya Police Station along

with other police officials came to the house of Rinki Devi in her Sasural but Sakali Devi made protest and some verbal altercation took place.

Considering the facts aforesaid and the nature of allegations made against the petitioners, the petitioner no. 1 and 2 who are ladies namely Sanju Devi and Sakali Devi, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate, Sikrahana at Dhaka, East Champaran in Chiraiya P.S. Case No. 135 of 2014, Subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

So far as the case of Uday Sah, petitioner no. 3 and Brij Mohan Sah, petitioner no. 4 is concerned, there is allegation that they damage the vehicle of police who has gone to investigate the case and also pelted stones, I am not inclined to enlarge Uday Sah, petitioner no. 3 and Brij Mohan Sah, petitioner no. 4 on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J.)

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