

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15851 of 2017

Arising Out of PS.Case No. -2954 Year- 2015 Thana -SAHARSA COMPLAINT CASE District-
SAHARSA

- =====
1. Jitendra Sah, Son of Subhash Sah
 2. Babbu Kumar @ Babu Kumar Sah
 3. Subhash Sah, Son of Jagdish Sah
- All Resident of Village Lalganj, P.S. Bihra, District Saharsa.

.... Petitioners

Versus

1. The State of Bihar.
2. Sita Devi, Wife of Bhuban Sah, Resident of Village Lalganj, P.S. Bihra,
District Saharsa.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Singh

For the Opposite Party/s : Mr. Sri Kalyan Shankar

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR
ORAL ORDER

2 15-06-2017 Heard learned counsel for the petitioners and the

learned APP appearing on behalf of the State.

Petitioners apprehend their arrest in connection with

Complaint Case No.2954C of 2015, registered under Sections 323,

504, 341 and 354 of the Indian Penal Code.

Allegation in brief is that that while the complainant

was sleeping in the night, petitioner no.1 along with one unknown

person entered her house and made an attempt to rape and when

she raised alarm, the accused persons escaped away. On the next

day when the family members of the complainant tried to call

panchayat then these petitioners came and assaulted the



complainant.

Learned counsel for the petitioners submits that the petitioners and complainant's husband are agnates. Proceeding under Section 144 relating to land dispute is going on between both sides due to which this false case has been lodged and that too after lapse of two days. Allegation against petitioner nos.2 and 3 is that next day when demand of panchayat was made, they assaulted the complainant and these petitioners have got clean antecedents.

Having considered the said facts and circumstances, in the event of arrest/surrender within four weeks from the date of receipt of this order to the concerned court, let the petitioners, above named, 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 the learned Chief Judicial Magistrate, Saharsa in connection with Complaint Case No.2954C of 2015, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Arun Kumar, J.)

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