

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8642 of 2017

Arising Out of PS.Case No. -1931 Year- 2014 Thana -GOPALGANJ COMPLAINT CASE District-
GOPALGANJ

- =====
1. Prem Sah
 2. Raju Sah, Both Sons of Jairam Sah, Resident of Village- Kalyanpur,
P.S.- Bhore, District- Gopalganj.

.... Petitioners

Versus

1. The State of Bihar
2. Rina Devi, W/o Sri Chanchal Bhar, Resident of Village- Kalyanpur,
P.S.- Bhore, District- Gopalganj.

.... Opposite Parties

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Appearance :

For the Petitioners : Mr. Shailendra Kumar, Advocate

For the Opposite Parties : Mr. Sri Ajit Kumar (APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

4 11-05-2017 Heard learned counsel for the petitioners and learned
counsel representing the State.

The petitioners apprehend their arrest in connection
with C. Case No. 1931 of 2014, registered for the offences
punishable under Sections 323, 354/34 of the Indian Penal Code.

Allegedly, the petitioners were causing threats to the
complainant to come in the contact and again they started saying
that they have transferred Rs. 90,000/- in her account and
demanded the money otherwise to come in their contact and on
13.07.2014 in the evening both the petitioners came being armed
and demanded Rs. 90,000/- and then the petitioner no.2 started
assaulting the complainant with danda and the petitioner no. 1



with bad intention torn her blauze and again caused threats to develop friendship otherwise she will not be saved, he outraged her modesty, the informant went to police station twice but the case was not registered and then the complaint has been filed.

Submission is of false implication and that the petitioners are own brothers and it is not expected that both the brothers will commit such an offence, all the allegations are false and concocted, the complainant is aged about 35 years whereas the petitioners are aged about 22 and 25 years respectively and, as such, the petitioners deserve sympathetic consideration

The learned A.P.P. opposes the prayer of pre-arrest bail.

In the facts and circumstances as stated above, considering the allegation attributed against **the petitioner no.1 (Prem Sah)**, **I am not inclined to grant privilege of pre-arrest bail to him and accordingly his such prayer stands rejected.**

So far other **petitioner no. 2 (Raju Sah)**, is concerned in the event of his arrest or surrender within four weeks from the date of receipt/production of a copy of this order **shall be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand)** with two sureties of the like amount each to the satisfaction of learned A.C.J.M/C.J.M., Gopalganj, in connection with C. Case



No. 1931 of 2014, subject to the conditions as laid down in section 438(2) of the Cr.P.C.

(Jitendra Mohan Sharma, J.)

Rajiv/-

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