

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9313 of 2017

Arising Out of PS.Case No. -398 Year- 1998 Thana -GOPALGANJ COMPLAINT CASE District-
GOPALGANJ

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1. Gajendra Sah, Son of Gurmi Sah @ Sri Kisun Sah,
2. Sipahi Lal Sah, Son of Late Sumurukh Sah,
3. Saheblal Sah, Son of Late Sumurukh Sah, All are resident of Village-
Ekderwa, P.S.- Thawe, District- Gopalganj.

.... Petitioners

Versus

1. The State of Bihar.
2. Smt. Devi, W/o Kishnath Sah, R/o Ekderbha, P.S.- Thawe, Dist-
Gopalganj.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dhramveer, Adv.

For the Opposite Party/s : Mr. Sri Sanjay Kumar Tiwary

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 06-03-2017 Heard learned counsel for the petitioners and the

State.

The petitioners apprehend their arrest in Complaint
Case No. 398 of 1998, Tr. No. 4/15 instituted for the offence
under sections 376, 511, 323, 324 and 379 of the Indian Penal
Code.

It is submitted that police initially after
investigation, submitted final form in this case against the accused
persons.

The court below on the basis of protest petition
took cognizance against these petitioners and other accused



persons for the offence punishable under sections 376/511, 323, 324 and 379 of the Indian Penal Code.

It is further submitted that one of the accused of this case namely, Ram Lakhan Sah @ Chandeshwar Sah @ Chanesar Sah @ Ram Lakhan Prasad has already been granted bail by this court in Cr. Misc. No. 1421 of 2017 vide order date 17.01.2017.

From perusal of protest-cum-complaint petition, it appears that there is allegation against petitioner no.1 of assaulting the son of informant and there is general and omnibus allegation against petitioner nos. 2 and 3.

The learned Magistrate has taken cognizance on the basis of protest-cum-complaint petition under sections 376/511, 323, 324 and 379 of the Indian Penal Code.

Considering the aforesaid facts and circumstances of the case, prayer for anticipatory bail of the petitioners is allowed. In the event surrender/arrest of the petitioners, named above, within six weeks from today, in connection with Complaint Case No. 398 of 1998, Tr. No. 4/15, they shall be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M. IX, Gopalganj,



subject to the conditions as laid down under section 438(2) Cr.P.C.

(Sanjay Priya, J)

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