

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43695 of 2017

Arising Out of PS.Case No. -275 Year- 2017 Thana -GARKHA District- SARAN

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1. Sita Devi, wife of Binod Rai,
2. Binod Rai, Son of Late Punit Rai, Both are residents of Village- Aloni,
Police Station- Garkha, District- Saran (Chapra).

.... Petitioners

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Tiwary, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

2 21-09-2017 Heard both sides.

Petitioners apprehend their arrest in Garkha P.S. Case No.275 of 2017 under Sections 307, 392 and other Sections of the Indian Penal Code and 27 of the Arms Act.

The informant filed Complaint Case No.1711 of 2017 alleging therein that on 30.5.2017, while she was returning, the petitioners caught her and petitioner no.2 at the point of pistol snatched her belongings. Petitioner no.2 fired at her husband that the same did not hit her husband.

Learned counsel for the petitioners submits that the informant is Up-Mukhiya of Gram Panchayat, Aloni. Prior to the occurrence, the petitioner no.1 gave her fardbeyan in the hospital



on 29.5.2017 that the brother-in-law of the informant had come to Anganbadi Centre and demanded extortion of Rs.2,000/- some altercation took place and Manjay Kumar snatched money from the possession of Sita Devi, the petitioner no.1. Thereafter, in order to save the skin, the informant filed the present case.

On the other hand, learned counsel for the informant as well as the learned Additional P.P. submitted that the informant is earlier filed complaint against the petitioners before the competent authority that the petitioner no.1 does not distribute food grains according to law and that is why both the petitioners assaulted the informant and her husband. During the course of investigation, the witnesses have also supported the version of the informant. It appears that the petitioner no.1 is an Anganbadi Sevika and she filed Garkha P.S. Case No.244 of 2017 against Manjay Kumar and Arun Kumar, the husband of the informant and Dewar of the informant as they demanded money from Anganbadi Sevika, the informant. Thereafter, this case was lodged by the informant Up-Mukhiya.

Considering the facts aforesaid and nature of allegation made against the petitioners, petitioners above named, in the event of their arrest or surrender before the court below within four weeks from today, are directed to 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 Additional Chief Judicial Magistrate-V, Chapra, District- Saran in connection with Garkha P.S. Case No.275 of 2017, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Prabhat Kumar Jha, J)

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