

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36785 of 2017

Arising Out of PS.Case No. -12 Year- 2015 Thana -CHANDMUNDI District- JAMUI

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1. Shyam Lal Sah Son of Amjaun Sah
2. Rupchand Sah Son of Late Kailash Sah Resident of Village-Nawaser
Mahuaz Police-Station Bengabad Distt. Giridih (Jharkhand)

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Satya Prakash Parasar

For the Opposite Party/s : Mr. Sri Suresh Prasad Singh

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL

ORAL ORDER

3 04-10-2017 Heard learned counsel for the petitioners and learned
APP for the State.

Petitioners seek bail in connection with Chandramandi
P.S. Case No. 12 of 2015 for offences punishable under Sections
109, 114, 376 and 506 of the Indian Penal Code and Section 6(b)
of Immoral Traffic Prevention Act.

The prosecution case, as lodged by the complainant by
way of complaint case which was later on converted into the
present P.S. case is that she was married to petitioner no. 2. Co-
accused Bhuneshwar Sah brought some stranger in her room who
committed rape on her and this continued for six months and on
objection, the informant was beaten by petitioner no. 1 Shyamlal
Sah and co-accused Bhuneshwar Sah and Rupa Devi. She
complained to her husband petitioner no. 2 but he raised no
objection.

It has been submitted by the learned counsel for the
petitioners that they are innocent and have been falsely implicated



in the aforesaid case, bears no criminal history and that petitioner no. 1 is languishing in judicial custody since 28.04.2017 and petitioner no. 2 since 03.04.2017. He submits that just because the informant/complainant did not want to live in sasural, false allegations have been levelled against the petitioners and that charge-sheet has already been submitted and there is no chance of tampering with the prosecution witnesses by the petitioner.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let petitioners, above named, be enlarged 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 learned Additional Chief Judicial Magistrate-IInd, Jamui, in connection with Chandramandi P.S. Case No. 12 of 2015 subject to the condition that both the petitioners will appear before the learned court below during trial as and when required and failure to appear on two consecutive dates without assigning any reason will entail cancellation of their bail bonds.

(Nilu Agrawal, J)

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