

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27279 of 2018

Arising Out of PS. Case No.-297 Year-2017 Thana- LAUKHA District- Madhubani

Charanjeet Sah @ Chandrajit Sah @ Charanjit Sahu, S/o Late Kanak Lal Sah,
Resident of Village- Patharahi, P.S.- Laukaha, District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jitendra Kumar Bharti and Ms. Nitu Kumari,
Advocates

For the Opposite Party/s : Mr. Rajendra Prasad Nat, APP

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 07-05-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 307, 323, 341, 379 and 504/34 of the Indian Penal Code.

The prosecution case got initiated on the Fardbeyan of Babloo Kumar Sah, recorded by A.S.I., S.K. Kumar, Khutauna Police Station, on 12.12.2017 at 14.00 P.M. at PHC, Khutauna, to the effect that on 12.12.2017 at 2.30 to 03.00 A.M, five accused persons, including the petitioner, armed with lathi, danda and dagger came and started abusing and assaulting the informant. On alarm being raised, the younger brother of the informant Santosh Kumar Sah and Ram Prit Paswan came to rescue him. In the meantime, the petitioner Charanjeet Sah and



Ashok Sah put a rope around the neck of the informant and they tried to strangle the informant. In the meantime, the accused persons took out the locket from the neck of the informant. The reason for the assault was that on 10.12.2017, the petitioner was lighting fire along with others in his house and this fact was witnessed by this petitioner, hence, he conveyed the fact to villagers.

It is submitted by learned counsel for the petitioner that in the background of old enmity, the accusation has been levelled. The grand-daughter-in-law of the petitioner namely Mamta Devi lodged a case on 13.12.2017 against the informant being Laukaha P.S. Case No. 293 of 2017, levelling accusation under Sections 341, 323, 354, 448 and 504/34 of the I.P.C. It is further submitted that daughter-in-law of the petitioner also lodged a case being Laukaha P.S. Case No.290 of 2017 on 11.12.2017, levelling accusation under Sections 436 and 427 of the I.P.C., against the informant and others. The injury has been found to be superficial simple in nature. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

It is submitted by learned APP for the State that the petitioner is named in the FIR with specific accusation.



Considering the accusation being levelled in the background of litigated relationship between the parties from before and injury has been found simple, coupled with statement made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned ACJM, Jhanjharpur, Madhubani, in connection with Laukaha P.S. Case No.297 of 2017, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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