

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26260 of 2018

Arising Out of PS.Case No. -178 Year- 2017 Thana -PAKRIDAYAL District-
EASTCHAMPARAN(MOTIHARI)

- =====
1. Shiv Sah, son of Late Ganpat Sah.
 2. Ramdeo Sah, son of Late Ganpat Sah.
 3. Rakesh Sah, son of Ramdeo Sah.
 4. Rupesh Sah, son of Shyamdeo Sah.
 5. Jai Nath Sah, son of Ram Bilash Sah.
 6. Raju Sah, son of Harihar Sah.
 7. Ram Sewak Sah, son of Harihar Sah.
 8. Brij Kishore Sah, son of Dahaur Sah.
 9. Harihar Sah, son of Kirodhan Sah.
 10. Anil Sah @ Amit Sah, son of Late Ganpat Sah.

All are resident of village- Rampur Narsingh Tola, Babhantoli,
Police Station- Pakari Dayal, District- East Champaran.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar, Advocate
For the Opposite Party/s : Mr. Nityanand, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 03-05-2018 Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners seek pre-arrest bail in connection with
Pakridayal P.S. Case No.178 of 2017 registered under Sections
147, 148, 149, 341, 323, 324, 307, 379, 504 and 506 of the Indian
Penal Code.

It is submitted by the learned counsel for the petitioners
that the instant first information report has been lodged against the



petitioners, who have no criminal antecedent merely because of the fact that wife of petitioner no.2 Ramdeo Sah, namely, Tetri Devi, had filed Pakridayal P.S. Case No.173 of 2017 on 03.11.2017 inter alia under Sections 354B and 307 of the Indian Penal Code against husband of the informant and others. He submitted that only after four days of the institution of the first information report by said Tetri Devi, the instant case has been registered with false and fabricated story. He submitted that even otherwise the allegation is of causing injury on the leg, which is non-vital part of the body.

On the other hand, learned counsel for the State has opposed the prayer for grant of pre-arrest bail to the petitioners. He submitted that apart from the allegation of assault, there is also allegation that they outraged the modesty of the informant.

Be that as it may, considering the totality of the facts and circumstances of the case and the submissions made above, in the event of arrest or surrender in the court below within six weeks from today, the petitioners 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 learned Additional Chief Judicial Magistrate-V, East Champaran, Motihari in connection with Pakridayal P.S. Case No.178 of 2017, subject



to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Ashwani Kumar Singh, J)

Md.S./-

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