

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.1069 of 2018

Arising Out of PS.Case No. -137 Year- 2016 Thana -MAHESI District- SAHARSA

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1. Deepak Kumar @ Deepak Kumar Sah , Son of Chinalal Sah.
2. Umesh Sah.
3. Dinesh Sah @ Dinesh Saha,
Both sons of Sibu Sah.
4. China Sah @ Chinalal Sah @ Chinnulal Sah, Son of Late Sita Ram Sah.
5. Manoj Sah @ Manoj Saha, Son of Bhikho Sah,
All resident of Village- Mahisarho, P.S.- Mahishi, Dist.- Saharsa.
.... Petitioners

Versus

The State of Bihar. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Chandra Mohan Jha, Advocate
For the Opposite Party/s : Mr. Anil Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 17-01-2018 Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners seek pre-arrest bail in connection
with Mahishi P.S. Case No. 137 of 2017 registered under
Sections 147, 341, 323, 354-A, 379, 384, 504 and 506 of the
Indian Penal Code.

It is submitted by the learned counsel for the
petitioners that though the alleged occurrence of offence took
place 01.10.2016, the present case has been instituted after
inordinate and unexplained delay on 04.10.2016. He submitted



that both parties are on litigating terms from before and from the petitioners' side one Kanchan Devi had earlier filed Mahishi P.S. Case No.129 of 2016 dated 21.09.2016 inter alia under Sections 353A, 386 and 379 of the Indian Penal Code and in retaliation to that, the instant case has been instituted by the informant in order to save her husband's skin.

Learned counsel for the State opposed the application for grant of pre-arrest bail to the petitioners.

Considering the nature of allegation 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/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Saharsa in connection with Mahishi P.S. Case No. 137 of 2016 subject to the conditions as laid down under Section 438(2) Cr. P.C.

(Ashwani Kumar Singh, J.)

Sanjeet/-

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