

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53433 of 2018

Arising Out of PS. Case No.-153 Year-2018 Thana- SHASTRINAGAR District- Patna

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1. Manoj Kumar @ Chacha Manoj Kumar, Son of Late Jagdish Saha,
 2. Sangeeta Prasad @ Chachi Sangeeta Prasad, Wife of Manoj Kumar, Both are resident of Prabha Place, Near Sonbersa Garden Magistrate Colony, Post Office Ashiyana Nagar, Police Station- Rajiv Nagar, District- Patna, at present both are residing at Mohalla- Khajpura, P.S.- Shastri Nagar, District- Patna.

... .. Petitioners

Versus

The State of Bihar.

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Viveka Nandsingh
For the Opposite Party/s : Mr. Ram Priya Saran Singh

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 11-12-2018 Learned counsel for the petitioner seeks permission to withdraw the application filed on behalf of the petitioner No.1, namely, Manoj Kumar @ Chacha Manoj Kumar.

In view of the above, the application filed on behalf of petitioner No.1, namely, Manoj Kumar @ Chacha Manoj Kumar is dismissed as withdrawn.

Heard learned counsel for the petitioner No.2 Sangeeta Prasad @ Chachi Sangeeta Prasad, learned counsel for the informant and the learned A.P.P. for the State.

The petitioner apprehends her arrest in connection with Shastri Nagar P.S. Case no. 153 of 2018, registered under



Sections 147, 447, 448, 341, 323, 354 and 379 of the Indian Penal Code.

The accusation is that informant Poonam Kumari and her other family members used to reside in the house situated at Khazjpura, Baily road near the Pilor No. 25 belonging to her grandfather. On occasion of holi, informant along with her other family members had gone in the village and when informant and her other family members returned in the evening of 04.03.2018 then saw that on breaking the lock of the room, all the household articles were removed, while her uncle Prabhat Saha and aunt Renu Devi were present in the house, regarding which her mother had given written information to Police on 05.03.2018. Later on, 08.03.2018 her mother had gone for treatment along with her brother in the meantime, her uncle Manoj Kumar and aunt Sangeeta prasad (Petitioner No.2), Rajesh Kumar, Manoranjan Goplu and Rakesh Kumar Singh entered in the house and committed loot of household articles. Thereafter, Manoranjan Goplu caught hold her with intention to outrage her modesty. When she made alarm, then her uncle Prabhat Saha and aunt Renu Devi did not rush to save her. In the meantime, her uncle Manoj Kumar snatched golden chain from her neck.



Learned counsel for the petitioner No.2 submits that, in fact, due to property dispute, the present case has been lodged by the informant, who is niece of the petitioner No.2. Further submission is that due to property dispute, the informant and her parents has also lodged another case. The petitioner is a lady and she has no criminal antecedent.

Having regard to the facts and circumstances of the case, let the above named petitioner No.2 Sangeeta Prasad @ Chachi Sangeeta Prasad, be released on bail, in the event of her arrest or surrender before the learned Court below within a period of four 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 Addl. Chief Judicial Magistrate-IV, Patna in connection with Shastri Nagar P.S. Case No. 153 of 2018, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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