

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38078 of 2018

Arising Out of PS.Case No. -180 Year- 2018 Thana -DARBHANGA SADAR District-
DARBHANGA

- =====
1. Soman Sah, S/o Ram Khelawan Sah.
 2. Kishori Sah, S/o Jiya Lal Sah.
 3. Ajit Sah, S/o Late Bangali Sah.
 4. Dilip Sah, S/o Soman Sah.
 5. Ramdev Sah, S/o Ganesh Sah, All R/o Vill.- Loam, P.S. Sadar
Darbhanga, District Darbhanga.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jagannath Singh, Adv.

For the Opposite Party/s : Mr. Murli Dhar, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

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

Petitioners seek bail in connection with Sadar,
Darbhanga P.S. Case No. 180 of 2018 for offences punishable
under Sections 341, 342, 323, 354B, 504, 506, 509/34 of the
Indian Penal Code.

The prosecution case, as lodged by the informant, is
that while she was in her courtyard of house, the petitioners along
with others came and demanded the loan taken by her which was



settled through Panchayati and was to be given by the informant within a day or two when the informant asked for some more time the petitioners along with others caught her hair, blackened her face, took out her clothes and left her house.

It has been submitted by the learned counsel for the petitioners that they are innocent, bear no criminal history and have been falsely implicated just because the informant had taken loan from them and in order not to pay the loan, she had made false allegations. It has further been submitted that the petitioners will cooperate in the investigation and would not tamper with the prosecution witnesses.

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 completion of three months in custody on furnishing bail bonds of Rs.10,000/-(Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Darbhanga in connection with Sadar, Darbhanga P.S. Case No. 180 of 2018, subject to the conditions that:



(1) One of the bailors would be a close relative of the petitioners having sufficient immovable property, who will file an affidavit stating his relationship with the petitioners.

(2) If the petitioners indulge in an offence of similar nature in future, the prosecution will be at liberty to move the learned court below for cancellation of their bail bonds.

(Nilu Agrawal, J)

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