

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19625 of 2018

Arising Out of PS.Case No. -355 Year- 2017 Thana -KARAHGAR District- SASARAM (ROHTAS)

1. Radheshyam Sah
2. Ramanand Sah
3. Raghunath Sah, all sons of Kedar Sah, resident of village bisopur, P.S-
Barhari, Dist- Rohtas

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raj Bansh Dubey

For the Opposite Party/s : Mr. Sri Anil Kumar Singh 1

**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA**
ORAL ORDER

2 06-04-2018 Heard learned counsel for the petitioners as well as
learned Additional Public Prosecutor for the State.

Petitioners apprehend their arrest in connection with
Kargahar(Barhari O.P) P.S. Case No.355 of 2017 registered for
the offences punishable under Sections 341, 323, 376, 504, 506,
511 and 307/34 of the Indian Penal Code.

It is specific case of the informant that it was
Devbansh Sah, who made attempt to commit rape on her but her
modesty could be saved on the arrival of petitioner nos. 1 and 2 as
well as Sumitra Devi and Arti Devi. So far as petitioner nos. 3 is
concerned, it is alleged that he solemnized his marriage with the
informant but subsequently, started torturing her. It is also alleged
that on the alleged date of occurrence, petitioner nos. 1 and 2



made attempt to commit murder of informant by pouring kerosene oil on her.

Submission on behalf of the petitioners is that petitioners are brothers of informant's husband and as a matter of fact, the informant's husband died in accident and, thereafter she started quarreling with the family members for partition and prior to institution of the present case, she had filed complaint case no. 273 of 2016 for the offence punishable under section 498(A) of the Indian Penal Code and $\frac{3}{4}$ of Dowry Prohibition Act against the petitioners but no cognizance was taken against the petitioner nos. 1 and 2 in the aforesaid case and only cognizance was taken under section 420 of the Indian Penal Code against the petitioner no. 3.

However, petitioner no. 3 was granted anticipatory bail in the aforesaid case and, thereafter, the informant lodged the present case.

Considering the aforesaid facts and circumstances as well as submissions of the parties, this anticipatory bail petition is allowed and it is ordered that above named, petitioners, in the event of their arrest/ surrender within four weeks from the date of receipt of this order to the court concerned, shall be released on bail on furnishing bail bonds of Rs 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the



learned Additional Chief Judicial Magistrate, Rohtas at Sasaram
in Kargahar (Barhari O.P) P.S. Case No. 355 of 2017 subject to
condition as laid down under Section 438(2) of the Cr.P.C.

(Hemant Kumar Srivastava, J)

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