

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.63275 of 2017

Arising Out of PS.Case No. -214 Year- 2017 Thana -SAUR BAZAR District- SAHARSA

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1. Aditya Kumar Rai, S/o Arun Rai,
2. Aabha Devi, W/o Arun Kumar Rai, Both R/o Village- Sakhari, P.S.- Sour
Bazar (Patarghat O.P.), District- Saharsa.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shiva Shankar Sharma
For the Opposite Party/s : Mr. Sri Kanhaiya Kishore

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

2 02-02-2018 Heard the learned counsel for the petitioners and

learned APP for the State.

In this application, the petitioners apprehend their
arrest for the offences in connection with Sour Bazar (Patarghat
O.P.) P.S. Case No. 214 of 2017 punishable under Sections 147,
148, 149, 341, 323, 307, 354, 379, 504, 506 of the Indian Penal
Code and Section 3/4 of Dian Act.

Allegedly, the petitioners and co-accused entered into
the courtyard of the informant, addressing her as Dian and tried to
administer her stool and when she refused, she was assaulted and
humiliated by them and further her husband was also assaulted by
them with iron rod and lathi and they snatched gold chain and ear



ring of the informant and also a briefcase, containing clothes and ornaments. They poured solution of stool in the mouth of the informant and assaulted her with iron rod.

Submission is of false implication and that for the occurrence of 06.05.2017 this FIR has been lodged on 10.5.2017. Co-accused Arun Kumar Rai has lodged Sour Bazar P.S. Case No. 209 of 2017 on 08.05.2017 itself and then this false case has been lodged with an imaginary and false allegation. The informant and husband both have received simply injuries, vide Annexure-3 series. The petitioners have been made victim of the circumstances. They have got no criminal antecedent and, as such, they deserve sympathetic consideration.

Learned APP opposes the prayer of pre-arrest bail.

Considering that after delay of four days, FIR has been lodged by the informant and further the informant and her husband have received simple injuries and, as such, the petitioners, in case of their surrender or arrest within four weeks from the date of receipt/production of a copy of this order shall be enlarged on bail on execution of bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of Learned Chief Judicial Magistrate, Saharsa in connection with Sour Bazar (Patarghat O.P.) P.S. Case No. 214 of 2017 subject to



the conditions as laid down in Section 438(2) of the Cr.P.C.

(Jitendra Mohan Sharma, J)

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