

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.58136 of 2018

Arising Out of PS. Case No.-521 Year-2018 Thana- COMPLAINT CASE District- Jamui

1. Upendra Rawat, son of Late Baijnath Rawat.
 2. Uma Shankar Rawat, son of Upendra Rawat.
- Both are resident of Village- Lakhanpur, P.S. & District- Jamui.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :

For the Opposite Party/s :

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH

ORAL JUDGMENT

Date : 13-12-2018

Heard learned counsel for the petitioners and
learned A.P.P. for the State.

2. The petitioners apprehend arrest in connection
with Complaint Case No. 521C of 2018 dated 21.04.2018
instituted under Sections 354B, 452, 323, 380, 506 and 541 of
the Indian Penal Code.

3. The allegation against the petitioners is of
assault and taking away of ornaments and utensils and one of
the accused is also said to have assaulted the complainant's son
and husband and further allegation is of opening fire and
obtaining signature of the complainant and her husband on
paper under threat.



4. Learned counsel for the petitioners submitted that the complaint is totally false and in fact is an attempt to counter and dilute and also exert pressure on the accused not to press the F.I.R. lodged against the son of the complainant under Section 376 of the Indian Penal Code for such act done on 16.04.2018 at about 10:00 P.M. It was submitted that the daughter of the accused Shrawan Ravat (Shrawan Kumar) had lodged F.I.R. bearing Jamui Mahila P.S. Case No. 21 of 2018 dated 17.04.2018 under Section 376 of the Indian Penal Code against the son of the complainant and, thus, the complainant has filed this frivolous case on 21.04.2018 showing the incident to have occurred on 16.04.2018. Learned counsel submitted that even from the reading of the complaint it would be apparent that the same is quite fictitious and unbelievable and not very natural. It was further submitted that the petitioners have no criminal antecedent.

5. Learned A.P.P. submitted that there is specific allegation against the petitioners.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the court below within six weeks from today, the petitioners be released on bail upon



furnishing bail bonds of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the concerned Judicial Magistrate 1st Class, Jamui in Complaint Case No. 521C of 2018, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

7. One of the bailors shall be a close relative of the petitioners.

(Ahsanuddin Amanullah, J)

Anjani/-

AFR/NAFR	
U	
T	

