

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.58464 of 2018

Arising Out of PS. Case No.-88 Year-2018 Thana- DAUDPUR District- Saran

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1. Laddan Sain, S/o Bhulan Sain,
 2. Noor Mohammad Sain @ Noor Mohammad S/o Late Molajim Sain,
 3. Salma Khatoon, S/o Noor Mohammad,
 4. Mulia, S/o Bhulan Sain,
 5. Idani S/o Bhulan Sain,
- All residents of Jaitpur Sai Tola, P.S.- Daudpur, District- Saran at Chhapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date : 18-12-2018

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

2. The petitioners apprehend arrest in connection with
Daudpur P.S. Case No. 88 of 2018 dated 20.05.2018 instituted
under Sections 341/ 323/ 324/ 354/34 of the Indian Penal Code.

3. The allegation against the petitioners is of teasing the
daughter of the informant and running away with cash meant for
marriage purpose and on objection attacking with sword the uncle
and mother of the victim girl.



4. Learned counsel for the petitioners submitted that it is a totally false and concocted story as parties are neighbours and there were dispute with regard to throwing of garbage. It was submitted that the mother of the petitioners no. 1, 4 and 5 has also filed Complaint Case No. 1509 of 2018 before the Chief Judicial Magistrate, Chapra against the complainant and others alleging offences under Section 341/323/324/354/34 of the Indian Penal Code. Learned counsel further submitted that a complaint was also filed by the daughter of the informant in the present case soon thereafter alleging teasing and attempt to rape and further there is also a counter case by the mother of the petitioners no. 1, 4 and 5 against the informant and others. It was submitted that there is land dispute between the parties, who are neighbours, but it has been blown out of proportion by alleging heinous acts. Learned counsel drew the attention of the Court to the allegation in the present case where it has been stated that the petitioners no. 3, 4 and 5 have also assaulted by sword. It was submitted that these three petitioners being ladies assaulting by sword is unbelievable. It was further submitted that the petitioners have no criminal antecedent except for the other Complaint case filed by the daughter of the informant.



5. Learned A.P.P. submitted that there is allegation of teasing against the petitioners and also assault by sword.

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 Judicial Magistrate, Saran at Chhapra in Daudpur P.S. Case No. 88 of 2018, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

(Ahsanuddin Amanullah, J)

Kamlesh/-

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