

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18893 of 2019

Arising Out of PS. Case No.-342 Year-2018 Thana- LAURIA District- West Champaran

1. Krishna Sah, Gender-Male, aged about 42 years, Son of Late Nathuni Sah, Resident of Village- Sirisiya, Police Station- Yogapatti, Presently residing at Village- Mathiya Virt Tola, Police Station- Lauriya, District- West Champaran.
2. Shankar Sah, Gender-Male, aged about 42 years, Son of Late Chandrika Sah, Resident of Village- Fulwariya, Police Station- Lauriya, District- West Champaran.
3. Chhotelal Sah, Gender-Male, aged about 60 years, Son of Late Kapildeo Sah, Resident of village- Fulwariya, Police Station- Lauriya, District- West Champaran.
4. Narayan Sah, Gender-Male, aged about 62 years, Son of Late Laxmi Sah Resident of village- Mathiya, Police Station- Lauriya, District- West Champaran.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr.Sanjay Kumar No 7, Advocate.
For the Opposite Party : Mr.Ramchandra Sahni, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 02-04-2019 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners are apprehending their arrest in a case
for the offence registered under Sections 323, 341, 307, 354,
448, 392, 504 and 506 of the IPC.

The prosecution story, in brief, is that on 12.04.2018
at 8.00 A.M. accused persons armed with various weapons came
over at the door of informant and started abusing her, when she



objected, then Krishna Sah ordered to outrage the modesty of informant, upon which accused persons started assaulting her with fists and slaps and to save her life, she ran inside her house then accused persons also entered in her house and her husband, father-in-law and mother-in-law came forward to save her, then Krishna Sah tied the neck of her husband with Gamachha, any how her husband saved his life and her father-in-law and mother-in-law were fallen due to dragging and with a view to outrage her modesty, accused persons torn her Sari and Blouse and on her cry, witnesses arrived there and at the time of departure accused persons looted away ornaments, clothes and utensil of informant.

It has been submitted by learned counsel for the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioners. The petitioners have falsely been implicated in the present case. From perusal of F.I.R., it appears that no offence under Section 307 of the IPC is made out. Prior to institution of the present case, a complaint case was instituted against the father-in-law and Dewar of the informant. There is also land dispute pending between the parties. The alleged date of occurrence is to be 12.04.2018 in respect of the same,



complaint case was filed on 26.09.2018 on the basis of which, F.I.R. was instituted under Section 156(3) of Cr. P.C. Delay has not been explained by the prosecution.

On behalf of the learned counsel for the State, it has been submitted that the petitioners are named in the F.I.R./ complaint case.

Considering the aforesaid facts and circumstances, let the petitioners above named, in the event of arrest or surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned C.J.M., West Champaran at Bettiah, in connection with Lauriya P.S. Case No. 342 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

U.K./-

(Sudhir Singh, J)

U		T	
---	--	---	--

