

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21270 of 2019

Arising Out of PS. Case No.-336 Year-2018 Thana- BAIRIYA District- West Champaran

1. SHATRUDHAN SHAH @ SHATRUDHAN SAH, S/O Late Briksha Sah, R/O Village- Bheriharwa, P.S.- Nautan (Wrongly steed in the F.I.R. as Bairiya), District- West Champaran.
2. Manager Shah @ Manager Sah, S/O Late Briksha Sah, R/O Village- Bheriharwa, P.S.- Nautan (Wrongly steed in the F.I.R. as Bairiya), District- West Champaran.
3. Vijay Shah @ Vijay Sah, S/O Shatrudhan Shah @ Shatrudhan Sah, R/O Village- Bheriharwa, P.S.- Nautan (Wrongly steed in the F.I.R. as Bairiya), District- West Champaran.
4. Sunil Shah @ Sunil Sah, S/O Chanchal Sah, R/O Village- Bheriharwa, P.S.- Nautan (Wrongly steed in the F.I.R. as Bairiya), District- West Champaran.
5. Marich Shah @ Marish Sah @ Raju Shah, S/O Late Chandrika Sah, R/O Village- Bheriharwa, P.S.- Nautan (Wrongly stated in the F.I.R. as Bairiya), District- West Champaran.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey
For the Opposite Party/s : Mr.Bharat Lal

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 09-05-2019 Petitioners seek bail in anticipation of their arrest in connection with Bairiya P.S. Case No. 336 of 2018 registered for the offences punishable under Sections 341, 323, 354, 378, 385, 504 and 506/34 of the Indian Penal Code.

Prosecution story disclosed that petitioners along with others came variously armed and assaulted the informant and others and demanded extortion, looted away articles and tried to disrobe the Bhabhi of the informant calling her as dyne.



Submission of learned counsel for the petitioners is that as a matter of fact the informant has purchased a land from one Chanchal Sah, who is brother of petitioner Nos. 1 and 2 and there was partition of land among the brothers on the condition that they left 12' road for rasta and after purchase the informant tried to grab the whole land, including 12' of land and for that scuffle took place and the false and concocted case has been filed against them.

Heard learned APP also.

In view of above facts and circumstances, let petitioners, in the event of arrest or surrender before the court below within a period of six weeks from the receipt of this order, be released on bail on furnishing bail bonds of Rs.25,000/- (Rupees twenty five thousand) each with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate-VII, West Champaran, Bettiah, in connection with Bairiya P.S. Case No. 336 of 2018, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. and further condition is that one of the bailors of the petitioners shall be a local person having sufficient immoveable property within the jurisdiction of the court concerned.

(Vinod Kumar Sinha, J)

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