

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23787 of 2019

Arising Out of PS. Case No.-403 Year-2018 Thana- CHANPATIA District- West Champaran

1. RADHA SAH Son of Late Gokhul Sah Resident of Village-Chuhari, Police Station-Chanpatiya, District-West Champaran.
2. Prahlad Sah @ Pahlad Sah, Son of Radha Sah Resident of Village-Chuhari, Police Station-Chanpatiya, District-West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar No 7

For the Opposite Party/s : Mr.Umeshanand Pandit

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 12-04-2019 Heard learned Counsel for the petitioners and learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Chanpatia Police Station Case No. 403 of 2018, disclosing offences under Sections 498A/341/323/315/504/34 of the Indian Penal Code.

The petitioner no. 1 is said to be the uncle of the husband of the informant and petitioner no. 2 the cousin of the brother of the husband of the informant.

Learned Counsel appearing on behalf of the petitioners has submitted that though there is allegation of assault on the informant's abdomen, leading to termination of pregnancy, there is no specific allegation against these



petitioners of such assault. It has been argued that the petitioners have been implicated only because they are near relatives of the husband of the informant.

Considering the above submission, this application is allowed.

Let the petitioners, above named, in the event of their arrest or surrender before the Court below within six weeks, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-V, West Champaran, at Bettiah, in connection with Chanpatia Police Station Case No. 403 of 2018, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioners shall present themselves before the police/Court, as the case may be, as and when required and in the event of failure on their part to appear before the Court on two consecutive occasions, their bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J.)

Prabhakar Anand/-

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