

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 23694 of 2019

Arising Out of P.S. Case No.-681 Year-2017 Thana- BETTIAH CITY District- West
Champaran

-
1. Bachcha Sah, aged about 50 years, Male, Son of Late Vindhyachal Sah Resident of Mohalla- Paccki Phulwari Uttarwari Pokhara, P.S.- Kalibagh O.P., District- West Champaran.
 2. Lalajee @ Lalajee Sah, aged about 23 years, Male Son of Bachcha Sah Resident of Mohalla- Paccki Phulwari Uttarwari Pokhara, P.S.- Kalibagh O.P., District- West Champaran.
 3. Balajee @ Balajee Sah Son of Bachcha Sah Resident of Mohalla- Paccki Phulwari Uttarwari Pokhara, P.S.- Kalibagh O.P., District- West Champaran.
 4. Sugrib Sah @ Sugriv Sah, aged about 30 years, Male Son of Bachcha Sah Resident of Mohalla- Paccki Phulwari Uttarwari Pokhara, P.S.- Kalibagh O.P., District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Sanjeev Kumar, Advocate
For the State	:	Mr. Md. Arif, APP

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH

ORAL JUDGMENT

Date : 05-08-2019

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

2. The petitioners apprehend arrest in connection with
Nagar Bettiah (Kalibagh OP) PS Case No. 681 of 2017 dated
25.09.2017 instituted under Sections 341, 323, 324 and 354B/34
of the Indian Penal Code.



3. The allegation against the petitioners is general of assault and immoral behaviour of petitioner no. 3 with the handicapped daughter of the brother of the informant.

4. Learned counsel for the petitioners submitted that besides having no criminal antecedent, they are accused in general and vague terms of having assaulted with fists, slaps and *lathi*.

5. Learned APP submitted that there is no direct overt act alleged against the petitioners no. 2 and 4 but against the petitioner no. 1, it is of trying to strangle the informant by using leather belt whereas against petitioner no. 3 it is of trying to outrage the modesty of the minor niece of the informant.

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 no. 2 and 4 namely, Lalajee @ Lalajee Sah and Sugrib Sah @ Sugriv Sah be released on bail upon furnishing bail bonds of Rs.15,000/- (fifteen thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Bettiah, West Champaran in Nagar Bettiah (Kalibagh OP) PS Case No. 681 of 2017, subject to the conditions laid down in Section 438(2) of the Code of Criminal



Procedure, 1973. One of the bailors shall be a close relative of the said petitioners no. 2 and 4. The petitioners and the bailors shall execute bond with regard to good behaviour of the petitioners. The petitioners shall also give an undertaking to the Court that they shall not indulge in any criminal activity. Any violation of the terms and conditions of the bonds or the undertaking shall lead to cancellation of their bail bonds.

7. The prayer for anticipatory bail of petitioners no. 1 and 3 namely, Bachcha Sah and Balajee @ Balajee Sah stand rejected.

(Ahsanuddin Amanullah, J.)

P. Kumar

AFR/NAFR	
U	
T	

