

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.23518 of 2019**

Arising Out of PS. Case No.-308 Year-2018 Thana- PAHARPUR District- East Champaran

NAGINA SAH Son of Late Anchit Sah Resident of Village - Dudhiyawan,  
Kalwari Tola, P.S.- Paharpur, Distt - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Umesh Chandra Verma

For the Opposite Party/s : Mr.Anil Kumar

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA**  
**ORAL ORDER**

2      11-04-2019                      Heard both sides.

The petitioner apprehends his arrest in Paharpur P.S.  
case No. 308 of 2018 registered under Section 341, 323, 324,  
354B, 308, 379, 504, 506/34 of the IPC.

The informant alleged that while she was sitting in her  
shop, Nagina Sah, the petitioner, and his son, Shailesh Kumar,  
came to her shop and started using filthy language against her.  
The petitioner and his son torn her clothes. They assaulted her  
father-in-law and other family members.

The learned counsel for the petitioner submits that  
Paharpur P.S. case No. 309 of 2018 was registered against  
Sanjay Sah, husband of the informant, and others on the basis of  
fard bayan of Nagina Sah. In fact husband of informant and  
other family members came and assaulted Nagina Sah and



damaged different articles on account of land dispute but in order to save the skin of her husband the informant lodged the present case. The allegation that father and son came together and torn the clothes of informant is not worth reliable.

Considering the facts aforesaid and nature of allegation made against the petitioner and the fact that there is case and counter case and there appears land dispute between the parties, the petitioner, above named, in the event of his arrest/ surrender before the court below within a period of four weeks from the date of receipt/ production of a copy of this order is directed to be enlarged on bail on his furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, East Champaran, Motihari in connection with Paharpur P.S. case No.308 of 2018, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

**(Prabhat Kumar Jha, J)**

BKS/-

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