

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34350 of 2019

Arising Out of PS. Case No.-668 Year-2018 Thana- BANKA District- Banka

1. JITENDRA SAH Son of Raju Sah Resident of Village - Changeri, P.S.- Barahat, Dist.- Banka.
2. Pradeep Sah @ Pradeep Kumar Son of Raju Sah Resident of Village - Changeri, P.S.- Barahat, Dist.- Banka.
3. Kaju Yadav @ Santosh Kumar Son of Jaldhar Yadav Resident of Village - Changeri, P.S.- Barahat, Dist.- Banka.
4. Raju Sah @ Rajendra Prasad Sah Son of Late Rameshwar Sah Resident of Village - Changeri, P.S.- Barahat, Dist.- Banka.

... .. Petitioner/s

Versus

THE STATE OF BIHAR.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Jha
For the Opposite Party/s : Mr.Renu Kumari

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

6 21-10-2019 Petitioners seek bail in anticipation of their arrest in connection with Banka (Barahat) P.S. Case No. 668 of 2018, registered for the offences punishable under Sections 147, 323, 452, 354, 385, 380, 504, 506 of the Indian Penal Code and under Section 27 of the Arms Act.

As per F.I.R there is allegation against the petitioners is that they entered inside the house of the informant and started abusing her and started firing. Allegation against petitioner No. 1 is that he used criminal force against informant and when husband of the informant came to save her the petitioner No. 1



started assaulting him, allegation of assault the son of the informant against petitioner No. 2. There is allegation of making firing and assaulting the informant and others. There is allegation of snatching ear ring also. There is allegation of demand of Rangadari against the petitioner No. 1.

Submission of the learned counsel for the petitioners is that they are neighbors and they have been falsely implicated in this case on concocted allegation. In the impugned order it is mentioned that petitioners have criminal antecedent but in this case, case diary was called for and in case diary it has been mentioned that petitioners have no criminal antecedent. Except the family members of the informant nobody has come forward to make such allegation and no cartridge was found at the place of occurrence.

Heard learned A.P.P. also who has also not controverted the above fact.

Having heard both sides, considering the above submission, this application 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 bond of Rs.25,000/- (Rupees Five Thousand) each with two sureties of the like amount to the satisfaction of learned Chief



Judicial Magistrate, Banka in connection with Banka (Barahat)
P.S. Case No. 668 of 2018, subject to the condition laid down
under Section 438 (2) of the Code of Criminal Procedure and
further condition is that one of the bailors of the petitioners shall
be a local person having sufficient immovable property within
the jurisdiction of the Court concerned.

(Vinod Kumar Sinha, J)

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