

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73765 of 2018

Arising Out of PS. Case No.-38 Year-2018 Thana- NATIONAL HIGHWAY District-
Samastipur

-
1. Shambhu Sah S/o Late Bindeshwar Sah Resident of Kubauli Ram Bangra, P.S.-N.H. Bangra District-Samastipur.
 2. Sanjay Sah S/o Late Bindeshwar Sah.
 3. Vinita Devi W/o Sanjay Sah.
Both are resident of Kabauti Ram P.S.-N.H. Bangra District-Samastipur.

... .. Petitioner/s

Versus

1. The State Of Bihar.
2. Fulo Devi, wife of Shambhu Sah, resident of Mohalla-Kubauli Ram, Samastipur, P.S. Bangra, District-Samastipur.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mani Bhushan Kumar, Advocate.
For the Opposite Party/s : Mr. Ajit Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

5 25-04-2019 Heard learned counsel for the petitioners and the
learned A.P.P. for the State.

The petitioners apprehends their arrest in connection with N.H. Bangra P.S. Case No.38 of 2018 registered under Sections 341, 323, 448, 379, 354, 504, 506 and 498(A)/34 of the Indian Penal Code.

The accusation is that on 08.05.2018, Shambhu Sah (petitioner no.1), the husband of the informant/opposite party no.2 Fulo Devi, along with his mother Bedami Devi, brother Sanjay Sah (petitioner no.2), sister-in-law Vinita Devi



(petitioner no.3), Jainarain Sah and Jugeshwar Sah variously armed with weapons entered in the house of the informant/opposite party no.2 and committed “Maar-Peet”. Thereafter, Shambhu Sah (petitioner no.1) with an intention to kill the informant/opposite party no.2 on climbing her chest started to press her neck, Sanjay Sah (petitioner no.2) pulled her Saree and torn her blouse and Vinita Devi (petitioner no.3) snatched her earring. The cause of occurrence is that the husband of the informant/opposite party no.2 had illicit relationship with his sister-in-law Vinita Devi (petitioner no.3) and on being made protest by her, she was assaulted by them and was compelled to leave the house.

Learned counsel for the petitioners submits that the petitioner no.1 is husband, petitioner no.2 is brother-in-law and petitioner no.3 is Gotani of the informant/opposite party no.2 and due to misunderstanding, the informant/opposite party no.2 has lodged this case.

Having considered the facts and the circumstances of the case, let the petitioners, above named, in the event of their arrest or surrender by them within six weeks from today, be enlarged on bail on their furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like



amount each to the satisfaction of the Additional Chief Judicial Magistrate-III, Samastipur, in connection with N.H. Bangra P.S. Case No.38 of 2018/G.R. No.960 of 2018, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

P.S./-

U		T	
---	--	---	--

