

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43688 of 2019

Arising Out of PS. Case No.-13 Year-2007 Thana- MADHUBANI TOWN District-
Madhubani

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1. Madha Sah S/o Dukhi Sah R/o village- Mahrajganj, Ward No. 10, P.S.-
Madhubani Town, District- Madhubani
 2. Gauri Sah @ Gauri Shankar Sah @ Gauri Shankar Sahu S/o Bharat Sah R/o
village- Mahrajganj, Ward No. 10, P.S.- Madhubani Town, District-
Madhubani
 3. Kanta Sah S/o Dukhi Sah R/o village- Mahrajganj, Ward No. 10, P.S.-
Madhubani Town, District- Madhubani
 4. Mishri Sah S/o Dukhi Sah R/o village- Mahrajganj, Ward No. 10, P.S.-
Madhubani Town, District- Madhubani
 5. Bhola Sah S/o Madha Sah R/o village- Mahrajganj, Ward No. 10, P.S.-
Madhubani Town, District- Madhubani
 6. Kailash Devi W/o Mada Sah R/o village- Mahrajganj, Ward No. 10, P.S.-
Madhubani Town, District- Madhubani

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Subhash Kumar Jha

For the Opposite Party/s : Mr.Awadhesh Kumar Singh

**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

3 09-09-2019 Heard learned counsel for the petitioners and learned
APP for the State.

Petitioners apprehend their arrest in connection with
Nagar (Rahika) @ Rahika P.S. Case No.13/2007, corresponding
to G.R. No.114 of 2007 registered for the offence punishable
under Section 306/34 of the Indian Penal Code.

Ten named accused persons including the petitioners



are said to have grabbed the land of the informant by raising the boundary wall and extended threatening of dire consequences to the husband and son of the informant. Seeing the aforesaid threatening, her husband took shelter in the house of Ramchandra Yadav @ Netaji, where he committed suicide by hanging himself from ventilator.

It is submitted by learned counsel for the petitioners that the petitioners have no concern with the aforesaid occurrence. The land in question belongs to the petitioners and petitioners have bounded the same. Informant and her husband have no concern with the aforesaid land. Petitioners have no role in commission of suicide by husband of the informant and they have also not abetted the suicide. There is also no allegation of visiting the house of Netaji by the petitioners or abetting the husband of informant to commit suicide. Petitioners have no criminal antecedent. Similarly situated co-accused namely Yugba @ Yugeshwar Sah @ Ygba Sah has been enlarged on bail by a co-ordinate Bench of this Court vide order dated 21.01.2019 passed in Cr. Misc. No.2668 of 2019.

On the other hand, learned APP opposed the bail prayer of the petitioners.

In the facts and circumstances of the case, let the



above named petitioners be released on bail, in the event of their arrest or surrender before the learned court below within a period of six weeks from today, on furnishing bail bond of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-1st, Madhubani, in connection with Nagar (Rahika) @ Rahika P.S. Case No.13 of 2007, corresponding to G.R. No.114 of 2007, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Prakash Chandra Jaiswal, J)

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