

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48450 of 2019

Arising Out of PS. Case No.-78 Year-2018 Thana- MUFFASIL District- West Champaran

1. Kusum Devi @ Suman Devi, Female, aged about 55 years, Wife of Krishna Mahto, Resident of Village-Purbi Kargahiya, Lalunagar, Police Station-Bettiah Muffasil, District-West Champaran.
2. Raghunath Sah @ Raghunath Mahto, Male, aged about 60 years, Son of Late Chandradeo Sah, Resident of Village-Sirisiya Bazar, Police Station-Sikta, District-West Champaran.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr.Arbind Kumar Singh, Advocate.
For the Opposite Party : Mr.Tarun Prasad Mandal, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 04-12-2019 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners are apprehending their arrest in a case
for the offence registered under Sections 147, 149, 341, 323,
324, 448, 380, 427 and 506 of the IPC.

The prosecution story, in brief, is that on 26.02.2018
at about 10.00 A.M., the informant's daughter was under
treatment in M.J.K.Medical College and for the purpose of
treatment, she went to her house for getting money. In the
meantime, co-accused Sazid Sohail, Safi Alam and others came
on the Motorcycle armed with variously deadly weapons and
gave threatening to vacate the house. On objection, co-accused



Kunti Devi gave Fasuli blow, petitioner no. 2 gave a Farsa blow to Hasbun Nesa and damaged the Motorcycle. It is further alleged that petitioners and other co-accused entered into her house and took away ornaments, which was worth Rs. 5,00,000/- and tried to set fire the house by sprinkling Kerosene Oil.

It has been submitted by learned counsel for the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioners. The petitioners have falsely been implicated in the present case. There is no recovery of stolen property from possession of the petitioners. Other co-accused persons have been granted anticipatory bail by another Co-ordinate Benches of this Court vide Cr. Misc. No. 16904 of 2019 under order dated 25.03.2019 and Cr. Misc. No. 29707 of 2019 under order dated 06.05.2019.

On behalf of the learned counsel for the State, it has been submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners above named, in the event of arrest or surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail



bonds of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned C.J.M., West Champaran, Bettiah, in connection with Bettiah Muffasil P.S. Case No. 78 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

U.K./-

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

