

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70980 of 2019

Arising Out of PS. Case No.-705 Year-2018 Thana- WEST CHAMPARAN COMPLAINT
District- West Champaran

1. Sunil Kumar Sah @ Sunil Kumar Son of Gama Sah.
2. Rajesh Sah Son of Bhukhal Sah
Both residents of Village- Donwar, P.S.- Yogapatti (Sanichari), District-
West Champaran.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar Shrivastava

For the Opposite Party/s : Mr.Shyameshwar Dayal

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 19-11-2019 At the very outset, learned counsel for the petitioners submits that some error has occurred in paragraph-1 as well as prayer portion of the petition regarding Complaint Case and requests for making correction to that extent.

The prayer is allowed.

It may be done in course of the day.

Heard learned counsel for the petitioners and learned
Addl. Public Prosecutor for the State.

The petitioners are apprehending their arrest in connection with Complaint Case No.701 of 2018 (Trial No.4825 of 2018) registered for the offence under Sections 354 of the Indian Penal Code.



Accusation against the petitioners of molesting the complainant Subhawati Devi and on protest, accused persons assaulted and snatched golden chain worth Rs.40,000/- from the neck of the complainant.

It was submitted by learned counsel for the petitioners that both parties are pattidars and present complaint case and an F.I.R. were lodged due to dispute over partition of their shares. He submits that with regard to the present complaint case, an F.I.R. bearing Yogapatti P.S. Case no.286 of 2018 (Annexure-2) has already been lodged against the petitioners for the same occurrence and the allegation is similar to the present complaint petition. He further submits that petitioners have already been granted privilege of anticipatory bail vide order dated 28.09.2018 passed Cr.Misc.No. 60170 of 2018 in Yogapatti P.S. Case No.286 of 2018. He further submits that there was case and counter case going on in between the parties

Learned Addl. Public Prosecutor has opposed the prayer for anticipatory bail.

Considering the facts and circumstances of the case, let both the petitioners, above named, in the event of their arrest or surrender within a period of six weeks from the date of receipt of the order, be enlarged on bail on furnishing bail bond



of Rs.10,000/-(ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, West Champaran, Bettiah in connection with Tr.No.4825 of 2018, arising out of Complaint Case No.701 of 2018, subject to conditions as laid down under Section 438(2) Cr.P.C.

(Anjani Kumar Sharan, J.)

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