

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53286 of 2019

Arising Out of PS. Case No.-205 Year-2019 Thana- BHABHUA District- Kaimur (Bhabua)

1. NIRANJAN SAH @ DEWAN SAH Son of Sri Rameshwar Sah Resident of Village- Miriya, P.S.- Sonhan, District- Kaimur (Bhabua).
2. Bala Sah @ Jayant Kumar Son of Sri Rameshwar Sah @ Rameshwar Prasad Resident of Village- Miriya, P.S.- Sonhan, District- Kaimur (Bhabua).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Yogendra Kumar

For the Opposite Party/s : Mr.Chandra Bhushan Prasad

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 26-08-2019 Heard learned Counsel for the petitioners and learned
Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Sonhan (Bhabhua) Police Station Case No. 205 of 2019, disclosing offences under Sections 341/323/307/354-A/354-B/506/34 of the Indian Penal Code.

The allegation against the petitioners is that on 11.04.2019, in the morning, while the informant was going to perform puja at Kali Temple, the petitioner no. 1 intercepted her and insisted her to marry with the petitioner and on protest by the informant, the petitioner assaulted her with lathi on her forehead, arm and back. It has further been alleged that in the



night, the petitioners arrived at the house of the informant and knocked the door with oblique motive.

Learned Counsel for the petitioners submits that the petitioners have falsely been implicated in this case due to the fact that the petitioner no. 1 had love affairs with the informant, which was being objected by her husband and further that on the date of occurrence, the informant was assaulted by her husband. He further submits that from perusal of the injury report (Annexure-2), it appears that injury caused to the informant is simple in nature, caused by hard and blunt substance.

After having heard learned Counsel for the parties and taking into consideration the fact that the injury caused to the informant is simple in nature and there appears to be previous dispute between the parties, I am inclined to grant the petitioner privilege of anticipatory bail. Accordingly, this application is allowed.

Let the petitioners, above named, in the event of their arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Kaimur, at Bhabhua, in connection with Sonhan (Bhabhua) Police Station



Case No. 205 of 2019, subject to the condition laid down under
Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioners
shall present themselves before the police/Court, as the case
may be, as and when required and in the event of failure on their
part to appear before the Court on two consecutive occasions,
their bail bonds shall be liable to be cancelled.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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