

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51668 of 2019

Arising Out of PS. Case No.-70 Year-2019 Thana- TARABARI District- Araria

1. Baidh Nath Singh, Son of Late Sudhu Singh Resident of Village - Tegachhiya, Ward no.8, P.S.- Tarabari, Dist.- Araria.
2. Giranand Singh, Son of Late Sudhu Singh Resident of Village - Tegachhiya, Ward no.8, P.S.- Tarabari, Dist.- Araria.
3. Gopal Singh, Son of Late Sudhu Singh Resident of Village - Tegachhiya, Ward no.8, P.S.- Tarabari, Dist.- Araria.
4. Saroj Kumar, Son of Baidh Nath Singh Resident of Village - Tegachhiya, Ward no.8, P.S.- Tarabari, Dist.- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Kumar

For the Opposite Party/s : Mr.Jai Narain Thakur

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 19-08-2019 Heard learned counsel for the petitioners and learned counsel appearing on behalf of the State.

Petitioners apprehend their arrest in connection with Tarabari P.S. Case No.70 of 2019 for the offence punishable under Sections 323, 341, 379, 354-B, 504, 506/34 of the Indian Penal Code.

The allegation against the petitioners, as mentioned in the FIR is that the petitioners along with other persons entered into the house of the informant in the morning and started breaking the box. When the informant woke up, she saw the



accused persons were stealing valuable goods along with clothes from the box. The informant further alleged that the silver chain worth Rs.25,00/- was snatched from the neck of Bhabhi of the informant along with nose pin and the accused persons also took away four quintal rice and it has further been alleged that one Baidh Nath Singh, petitioner No.1, tried to outrage the modesty to Bhabhi of the informant by pulling her Sari.

Mr. Raj Kumar, learned counsel appearing for the petitioners, submits that petitioners have falsely been implicated on the basis of concocted story. Learned counsel further submits that both the parties are agnates and there is case and counter case inasmuch as the petitioner No.2 had lodged Tarabari P.S. Case No.69 of 2019 for an incident committed by the informant and his family members and the present FIR has been lodged as a counter blast in order to create defence by the side of the prosecution.

After having heard learned counsel for the petitioners as well as learned counsel appearing on behalf of the State and taking into consideration the fact that both the parties are agnates and there is case and counter case and the case lodged by the petitioners is prior in time, as such, I am inclined to grant anticipatory bail to all the petitioners.



Accordingly, all the petitioners, above named, are directed to surrender before the learned Court below within a period of four weeks from today and in the event of surrender by them, they shall be released on anticipatory bail by the Court below upon 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, Araria, subject to the condition as mentioned under Section 438 (2) of Cr.P.C.

(Anil Kumar Sinha, J)

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