

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54763 of 2019

Arising Out of PS. Case No.-2621 Year-2017 Thana- COMPLAINT CASE District- Araria

1. LAKHAN LAL SAH Son of Late Anharu Sah Resident of Village-Gachhmianpur, Ward No.10, Mianpur Panchayat, P.S.-Palasi, District-Araria.
2. Subhash Sah @ Subhash Kr. Sah Son of Lakhan Lal Sah Resident of Village-Gachhmianpur, Ward No.10, Mianpur Panchayat, P.S.-Palasi, District-Araria.
3. Rajendra Sah @ Rajendra Pd. Sah Son of Late Lakhilal Sah Resident of Village-Gachhmianpur, Ward No.10, Mianpur Panchayat, P.S.-Palasi, District-Araria.
4. Manila Devi Wife of Subhash Sah @ Subhash Kr. Sah Resident of Village-Gachhmianpur, Ward No.10, Mianpur Panchayat, P.S.-Palasi, District-Araria.
5. Sudha Devi Wife of Lakhan Lal Sah Resident of Village-Gachhmianpur, Ward No.10, Mianpur Panchayat, P.S.-Palasi, District-Araria.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Bhuneshwar Sah Son of Sri Indra Prasad Resident of Village-Gachhmianpur, Ward No.10, Mianpur Panchayat, P.S.-Palasi, District-Araria.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kundan Kumar Singh

For the Opposite Party/s : Mr.Renu Kumari

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 30-08-2019 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Complaint Case No.2621(c) of 2017 registered under Sections 420, 406, 409, 323, 504/34 and 120(B) of the Indian Penal Code.



The accusation is that due to flood, the area of the village of the opposite party no.2 became damaged and to compensate the villagers, the Government sent the money for relief. Thereafter, the petitioner nos.1 and 5 made demand of Rs.2000/- from the villagers for including their names as beneficiaries to provide the flood relief but the opposite party no.2 could not pay the same. Thereafter, while the name of the opposite party no.2 was left but the name of the others were included to provide the flood relief. When the opposite party no.2 went to the house of the petitioner no.5 to know about making the correction in the list of the flood relief, then petitioner no.1 became annoyed and on his order, all started to cause assault to the opposite party no.2 with lathi and fatta. The petitioners under conspiracy cheated the opposite party no.2 by taking his Rs.6000/- and misappropriated the Government money.

Learned counsel for the petitioners submits that due to dirty village politics, the informant has lodged the present complaint case and the petitioners have no criminal antecedents.

Having considered the facts and the circumstances of the case, let the petitioners, above named, in the event of their arrest or surrender by them within six weeks from today, be



enlarged on bail on their furnishing bail bond of Rs.10,000/-
(Rupees Ten Thousand) each with two sureties of the like
amount each to the satisfaction of the Additional Chief Judicial
Magistrate-VI, Araria, in connection with Complaint Case
No.2621(c) of 2017, subject to the conditions laid down under
Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

P.S./-

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