

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65477 of 2019

Arising Out of PS. Case No.-38 Year-2018 Thana- JADIA District- Supaul

MUSO SAH @ MUSAI SAH @ MUSAY SAH, aged about 49 years, Male,
Son of Late Bindeshwar Sah, Resident of Village - Khute (Koriyapatti West),
P.S.- Jadia, Distt - Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arun, Adv.

For the Opposite Party/s : Mr.Sunil Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 13-11-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case
registered for the offence punishable under Sections 147, 341,
323, 354B, 379, 504, 506, 435 of the Indian Penal Code.

Prosecution case is that according to written report
dated 15.06.2018 of the informant is that the petitioner along
with 15 other co-accused persons on 03.03.2018 at 7 A.M. went
out side of her to collect JALAWAN in the meantime the
petitioner and others armed with various lethal weapons and
surrounded her and on the order of co-accused Dalo Sah to kill
her all the accused persons including the co-accused namely
Naraiyan Sah, Manoj Sah, Ranjay Sah and Sadanand Sah started



beating her like dogs. She further alleged that co-accused namely Raj Kumar Sah torn her cloths. She further alleged that any how she save herself from them and came to her house and the accused persons chased her and entered in side her house and co-accused Dilip Singh Sah took he ornaments and the petitioner sprinkle petrol and co-accused Jitan Sah lit fire in which several house hold articles burnt. She further alleged that not single male members were present in the house at 7 P.M. of the alleged date of occurrence.

Learned counsel for the petitioner submits that the instant case is counter blast of Jadia P.S. Case No. 37/2018, U/Ss-147, 341, 323, 325, 379, 307, 504, 506 of the Indian Penal Code which has been filed by the co-accused Ram Narain Sah, son of Gogai Sah against informant against informant and others of the instant case.

Learned counsel for the petitioner further submits that the petitioner side have also filed Jadia P.S. Case No. 31/2016, U/Ss-147, 148, 341, 323, 324, 379 of the Indian Penal Code on 18.03.2016, Jadia P.S. Case No.25/2017, U/Ss-147, 148, 149, 341, 323, 379, 354(A), 324, 504, 506 of the Indian Penal Code, Jadia P.S. Case No. 120/2017, U/Ss-147, 148, 149, 341, 323, 325, 307, 504, 379, 506 of the Indian Penal Code against the



informant of the instant case and his supporters.

Learned counsel for the petitioner further submits that there is civil and criminal dispute between the parties for which present case has been filed.

In the aforesaid facts and circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of six weeks from the date of receipt of the order, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-Vth, Supaul in connection with Jadia P.S. Case No. 38 of 2018, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anjani Kumar Sharan, J)

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