

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.67403 of 2019

Arising Out of PS. Case No.-157 Year-2018 Thana- SAMASTIPUR COMPLAINT CASE
District- Samastipur

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1. MALA DEVI, aged about 42 years, Female, W/o Awadhesh Kumar Sah, Resident of Village - Simari, P.S.- Vidyapati Nagar, Dist.- Samstipur
 2. Mano Devi, aged about 63 years, Female, W/o Ram Chandra Sah, Resident of Village - Simari, P.S.- Vidyapati Nagar, Dist.- Samstipur

... Petitioners

Versus

1. THE STATE OF BIHAR
2. Awadhesh Kumar, aged about 30 years, Male, Son of Ram Karan Sah, Resident of Village - Simari, P.S.- Vidyapati Nagar, Dist.- Samstipur

... Opposite Parties

Appearance :

For the Petitioners : Mr. Surya Narayan Roy, Adv.
For the Opposite Parties : Mr. Lalan Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 14-11-2019 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the state.

The petitioners seek pre-arrest bail in connection with Complaint Case No. 157 of 2018 registered under Sections 354A, 354B, 323, 395, 147, 148, 149, 504, 506, 329, 384 and 386 of the Indian Penal Code and 9, 10 and 12 of the Protection of Children from Sexual Offences Act, 2012.

The accusation is that five persons named in the complaint case, including the petitioners, came at about 09.00 a.m. on 02.11.2018 at the land of the complainant, Awadhesh Kumar, with intention to grab the land. When parents and 13 years old bhagni (niece) of complainant made protest, then, they were assaulted with fists and slaps and they were also tied with rope and complainant, Awadhesh Kumar, was also assaulted through sharp cutting weapon. At that time, niece and mother of



the complainant were also laid on the ground and clothes were also torn. All also snatched cash of Rs.10,000/-, sarees worth Rs.15,000/-, a mobile phone worth Rs.26,000/- and ornaments

Submission is that due to the land dispute in between the family of the complainant and the petitioners, the petitioners, who are ladies, have falsely been implicated in this case with false allegation. Both the petitioners have no criminal antecedent.

Having regard to the facts and circumstances of the case, let the petitioners, above named, in the event of surrender/arrest, within a period of four weeks from today, in connection with Complaint Case No. 157 of 2018 shall be released on bail on furnishing bail bonds of Rs.10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of the Additional Sessions Judge I-cum-Special Judge, Samastipur, or the successor Court subject to the conditions as laid down under Section 438(2) Criminal Procedure Code.

(Rajendra Kumar Mishra, J)

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