

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78367 of 2019

Arising Out of PS. Case No.-498 Year-2014 Thana- TURKAULIYA District- East
Champaran

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1. UMESH SAH Son of Rajeshwar Sah Resident of Village - Balganga, P.S.-
Turkauliya, District - East Champaran, Motihari.
 2. Dinesh Sah Son of Rajeshwar Sah Resident of Village - Balganga, P.S.-
Turkauliya, District - East Champaran, Motihari.
 3. Vijay Sah @ Vijay Kumar Son of Prem Sah Resident of Village - Balganga,
P.S.- Turkauliya, District - East Champaran, Motihari.
 4. Abhay Sah @ Abhay Kumar Son of Prem Sah Resident of Village -
Balganga, P.S.- Turkauliya, District - East Champaran, Motihari.
 5. Ajay Sah @ Ajay Kumar Sah Son of Prem Sah Resident of Village -
Balganga, P.S.- Turkauliya, District - East Champaran, Motihari.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajan
For the Opposite Party/s : Mr.Rajendra Nath Jha

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 02-12-2019 Heard learned counsel for the parties.

Petitioners apprehend their arrest in a case registered for
the offence punishable under Sections 367, 368, 371, 374, 406,
120B of the Indian Penal Code.

Informant has lodged a complaint case which was
referred to the police for investigation under Section 156(3) of
the Cr.P.C in which he has alleged that he and accused are
pattidars and accused Vijay Sah is working as Mason in Gujarat
and he does contract work at Jamnagar in Gujarat and assured



that he will take his son Arun Sah to do work at Jamnagar and thereafter all accused came on 25.01.2013 and took away his son Arun Sah to Jamnagar. However, on the occasion of Chhath, all accused persons returned but the son of Informant did not return and on being asked from them they did not gave any satisfactory answer.

It has been submitted on behalf of the petitioners that they are innocent and have been falsely implicated in this case due to animosity and land dispute between the parties. It has been submitted that they are resident of the same locality and son of the informant was of unsound mind and has become traceless and this false case has been instituted against them. It has been further submitted that during investigation and supervision of the case by the police, same was found untrue. It has further been stated that dispute between the parties has been resolved and they have entered into compromise which has been taken note by the court below also while rejecting the anticipatory bail of the petitioners. Petitioners have got no criminal antecedent.

Considering the aforesaid facts and circumstances of the case, let the petitioners named above be released on anticipatory bail in the event of their arrest or surrender before



the court below within a period of four weeks from today upon furnishing bail bonds of Rs. 20,000/- each with two sureties of the like amount each to the satisfaction of learned court below where the case is pending, in connection with **Turkaulia P.S. Case No. 498 of 2014 arising out of Complaint Case No. C-59 of 2014**, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

(S. Kumar, J)

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