

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72902 of 2019

Arising Out of PS. Case No.-199 Year-2019 Thana- CHAKIA District- East Champaran

1. Manoj Sah @ Manoj Kumar, aged about 35 years, Gender – Male, S/o Nandu Sah
2. Dilip Sah, aged about 40 years, Gender – Male, S/o Late Hari Sah
3. Nandu Sah, aged about 55 years, Gender – Male, S/o Late Chalitra Sah, all are R/o village- Barmadia, P.S.- Chakia, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Vikram Jeet, Advocate
For the State	:	Mr.Dilip Kumar No.1, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 05-03-2020 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Chakia P.S. Case No. 199 of 2019 arising out of G.R. Case No.4588 of 2019 registered for the offences punishable under Sections 341, 323, 308, 379, 504 and 506 of the Indian Penal Code and Section 3(x) ;of Antiwitch Act.

Prosecution case is that Most. Rekha Devi has filed a petition before S.H.O. Chakia P.S. stating therein that on 20.06.2019 at about 6:00 p.m., these petitioners accused forming an unlawful assembly came at the door of the informant and said the informant as a Dian and abused her in filthy



language and they assaulted the informant by lath phattha in the meantime when the informant's daughter-in-law Raj Kumari Devi came in rescue accused Manoj Sah gave pharsha blow on her head causing injury and accused Suganti Devi snatched gold Mangal Sutra worth Rs.16,000/- from her neck.

Learned counsel for the petitioners submits that the petitioners are quite innocent and they have committed no offence as alleged. They have falsely been implicated in this case due to malafide intention and ulterior motive and village politics and the allegation as mentioned in the F.I.R. is false and concocted. It is further submitted that the accused Meena Devi had filed Complaint Case No.C-1691 of 2019 for the occurrence dated 04.04.2019 against the informant and others which is pending in the court of learned Judicial Magistrate, Ist Class, Motihari. Learned counsel for the petitioners further submits that there is delay of 5 days in lodging the F.I.R. and no explanation has been given. Learned counsel for the petitioners further submits that from perusal of the injury report mentioned in paragraph-27 of the case diary, the doctor opined that all the injuries are simple in nature.

In the facts and circumstances of the case, let the above named petitioners be released on bail, in the event of



arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 20,000/- (twenty thousand) each with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Jehanabad, Motihari in connection with Chakia P.S. Case No. 199 of 2019 arising out of G.R. Case No.4588 of 2019, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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