

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87368 of 2019

Arising Out of PS. Case No.-299 Year-2019 Thana- PATNA COMPLAINT CASE District-
Patna

-
1. MUKESH SAO, Son of Nandey Lal Sao,
 2. Rakesh Sao @ Rakesh Kumar, Son of Nandey Lal Sao
 3. Gouri Devi Wife of Chandan Sao (Wrongly mentioned in complaint wife of Nandey Lal Sao)
 4. Parwati Devi, D/o Nandey Lal Sao (wrongly mentioned in complaint wife of Nandey Lal Sao)
- All Residents of Village - Sahari, P.S.- Barh, Distt - Patna.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rani Devi wife of Murari Saw village- Sahari P.S. Barh District patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar Pandey
For the Opposite Party/s : Mr.Satyendra Narayan Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 19-02-2020 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners are apprehending their arrest in a case registered for the offence punishable under Sections 323, 324, 325, 354, 379, 504/34 of the Indian Penal Code.

Prosecution case in brief is that the instant case registered on written complaint of the complainant filed before the CJM, Barh stating therein that on 25.04.2019 Chandan Sao entered into her house to outrage the modesty of the complainant and at that time she was alone in her house. It is



further stated that when the complainant raised hulla then witnesses of the present complaint came there and made protest against Chandan Sao to refer the matter to police. In the meantime, petitioners forcibly entered into the house of the complainant and they have started to make assault to the complainant and the witnesses of the present complaint to save the Chandan Kumar. Petitioner no. 2 assaulted to Murari Sao by iron rod and hammer which caused injury to his leg and bone of leg was broken. Petitioner no. 1 also assaulted by means of lathi to Murari Singh which caused injury in his hand and petitioner no. 2 also assaulted to Hare Ram Sao by means of Hammer on his head. It has also been alleged that Chandan Sao has assaulted to complainant by brick, petitioner no. 2 pulled out the complainant and thrown her in courtyard. Further case of the complainant is that petitioner no. 3 and 4 took away cash Rs. 25,000/- and ornaments from the house causing loss to 30,000/-. Injured person were referred to Sub divisional Hospital, Barh for medical treatment from where Murari Sao was referred to PMCH for better treatment.

Learned counsel for the petitioners submits that the petitioners are innocent and not committed any offence and they are simply a victim of false implications in this case due to local



dirty village politics. The occurrence has taken place on 25.04.2019 but the present case was lodged on 26.04.2019 after one day. The father of the complainant namely Hare Ram Sao has lodged a case on 25.04.2019 before the Barh P.S. for the same occurrence and just after one day later the present case filed by her daughter wherein he has cited as a witness. There is general and omnibus allegation against the petitioners.

In the aforesaid facts and circumstances of the case, let the petitioners, above named, in the event of their 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. 20,000/- (rupees twenty thousand) each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Barh, District-Patna, in connection with Complaint Case No. 299 (c) of 2019, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anjani Kumar Sharan, J)

amitkumar/-

U		T	
---	--	---	--

