

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24053 of 2020

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

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SAUARAV KUMAR Son of Awadhesh Kumar Sah Resident of Village -
Simary, P.S.- Vidyapati Nagar, Distt.- Samastipur.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Awadhesh Kumar Son of Ram Karan Sah Resident of Village - Vidyapati
Nagar, Distt.- Samastipur.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Surya Narayan Roy, Advocate.

For the Opposite Party/s : Mr. J.N. Thakur, APP

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 05-01-2021 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in a case
registered for the offences punishable under Section 147, 323,
& 379 of the Indian Penal Code and Section 8 of the POCSO
Act.

The accusation is that five persons named in the
complaint case, including the petitioner, came at about 9 AM on
02.11.2018 at the land of the complainant, Awadhesh Kumar,
with intention to grab the land. When parents and 13 years old
bhagani (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. They also snatched cash of Rs.10,000/- sarees worth Rs.15,000/- a mobile phone worth Rs.26,000/- and ornaments.

It is submitted by learned counsel for the petitioner that no such occurrence as alleged ever took place. He has been falsely implicated in this case due to land dispute. A title suit, bearing T.S. No.22 of 2006, is going on and pending between the parties. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. He has no criminal antecedent. Similarly situated co-accused, namely, Mala Devi and Mano Devi have been enlarged on bail by a co-ordinate bench of this court vide order dated 14.11.2019 passed in Cr. Misc. No.67403 of 2019.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned 1st Additional Sessions Judge-cum-Special Judge, Samastipur in



connection with Complaint Case No. 157 of 2018, subject to the
condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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