

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34275 of 2020

Arising Out of PS. Case No.-152 Year-2019 Thana- KALUAHI District- Madhubani

1. SABITA DEVI @ SAVITRI DEVI Wife of Raja Ram Sah Resident of Village - Pursauliya, P.S. - Kaluahi, District - Madhubani.
2. Nand Lal Sah @ Nand Lal Kumar @ Vikky Sah @ Vikky Kumar Son of Raja Ram Sah Resident of Village - Pursauliya, P.S. - Kaluahi, District - Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravi Prakash, Advocate
For the Opposite Party/s : Mr.Pranav Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 22-03-2021 Heard learned counsel for the petitioners and learned
APP for the State.

Counsel for the petitioners is directed to remove the defect(s), as pointed out by the office, within a period of four weeks.

Counsel for the petitioners seeks permission to withdraw the present application on behalf of petitioner No.1 as the petitioner No.1 has been taken into judicial custody.

Permission is accorded.

The application filed on behalf of petitioner No.1 is dismissed as withdrawn.

The petitioner No.2 is apprehending his arrest in a



case registered under Section 341, 323, 324, 354(B), 307, 379, 504, 506, 34 of the Indian Penal Code.

Allegation is that the accused persons armed with deadly weapons came and assaulted the informant and her mother-in-law. Co-accused Lali Kumari assaulted the mother-in-law of the informant, namely, Saraswati Devi by means of farsa, due to which she sustained head injury and petitioner No.2 and other co-accused snatched the golden earring.

It has been submitted on behalf of the petitioner No.2 that there is no allegation of tampering of witnesses alleged against the petitioner No.2. The petitioner No.2 has falsely been implicated in the present case. General and omnibus allegation has been made. Specific allegation is against the co-accused Lali Kumari. It is a case and counter case between the parties. Free fight is alleged to have taken place. The injuries on the side of the accused persons have not been explained by the prosecution. The prosecution has not come with clean hands.

On behalf of the State, it is submitted that the petitioner No.2 is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner No.2, above named, in the event of arrest/surrender before the learned court below within a period



of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Sri G.P. Gupta, J.M. 1st class, Madhubani in connection with Kaluahi P.S. case No.152 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Narendra/-

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