

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34453 of 2020

Arising Out of PS. Case No.-47 Year-2020 Thana- TARIYANI CHAPRA PS District-
Sheohar

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Surendra Sah (male), aged about 43 years, S/O Dharmnath Sah R/O Village -
Ladaura, P.S. - Tariyani Chhapara, District - Sheohar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amrendra Kumar

For the Opposite Party/s : Md. Binod Kr. No.2, APP

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 09-03-2021 Heard learned counsel for the petitioner and learned
counsel for the State.

In this case, the petitioner is apprehending his arrest
in connection with Tariyani Chhapara P.S. Case No. 47 of 2020
registered for offences under sections 341, 323, 324, 354(B), 447,
448, 34 of the Indian Penal Code.

The petitioner is the elder brother of the husband of
the Informant.

In the present case, an allegation has been made
against the petitioner of causing injury by knife to the Informant as
well as her father-in-law. Further allegation has been made against
the petitioner of biting her, putting her on the ground and also tried
to outrage her modesty. On Hulla, the petitioner fled away from
there but, later on, he along with other accused persons came there
and assaulted by means of Lathi and Danda.



Learned counsel for the petitioner submits that this is the family dispute and, in order to settle the score, the present false allegation has been leveled against the petitioner.

Looking to the nature of allegation as also considering the surrounding circumstances, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of four weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st, Sheohar in connection with Tariyani Chhapara P.S. Case No. 47 of 2020, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also subject to condition that whenever the police will call the petitioner for investigation/interrogation, he will remain present and if he would not present himself, the privilege of grant of anticipatory bail shall be deemed to have been canceled. It is also made clear that if the petitioner is repeats the similar offence in future, the prosecution will be at liberty to file an application for cancellation of the bail.

(Shivaji Pandey, J)

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