

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38621 of 2020

Arising Out of PS. Case No.-409 Year-2019 Thana- BAJPATTI District- Sitamarhi

1. ALI HASAN SHAH, SON OF AKIM SHAH RESIDENT OF VILLAGE - MURAU, P.S. - BAJPATTI, DISTRICT - SITAMARHI
2. MAITUN NISHA, WIFE OF ALI HASAN SHAH RESIDENT OF VILLAGE - MURAU, P.S. - BAJPATTI, DISTRICT - SITAMARHI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Virendra Kumar

For the Opposite Party/s : Mr.APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 27-04-2021 Heard Mr. Virendra Kumar, learned counsel for the petitioners and Mr. Lakshmi Kant Sharma, learned APP for the State.

The petitioners seek bail in anticipation of their arrest in connection with Bajpatti P. S. Case No. 409 of 2019, dated 25.11.2019, instituted for the offences under Sections 341, 323, 380, 354(B), 420, 387, 504, 406 and 34 of the Indian Penal Code.

The petitioners have not been named in the F.I.R. The accusation in the F.I.R. is that one Madan Chaudhary had entered into the house of the informant



and had misbehaved with her and also threw her down.

The learned counsel for the petitioners has submitted that the father-in-law of the informant and father of the petitioner no. 1 are own brothers and in an oral partition, the house in question came in the share of petitioner no. 1. The aforesaid house was gifted to one Abujar Shah from whom co-accused Madan Chaudhary is stated to have purchased the same.

Considering the entire set of facts, the petitioners are directed to be released on bail, in the event of their arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on their furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Sub-Divisional Judicial Magistrate, Pupari at Sitamarhi, in connection with Bajpatti P. S. Case No. 409 of 2019, subject to the conditions as laid down under Section 438 (2) Cr.P.C.



The application stands allowed.

(Ashutosh Kumar, J)

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