

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No 7885 of 2021**

Arising Out of PS. Case No.-132 Year-2020 Thana- NAUHATTA District- Saharsa

1. UPENDRA SADA Son of Late Sukaran Sada Resident of Village - Paruhar, Ward No. 04, P.S. Nauhatta, District - Saharsa.
2. NANDAN SADA Son of Late Chhutharu Sada Resident of Village - Paruhar, Ward No. 04, P.S. Nauhatta, District - Saharsa.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr Pramod Mishra, Advocate

For the Opposite Party/s : Mr Narendra Kumar Singh, APP

**CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD**

**ORAL ORDER**

**4      12-08-2021**                      This case has been taken up for consideration today through Video Conferencing.

Heard learned counsel for the petitioners and the learned Additional Public Prosecutor (for brevity, *APP*) appearing for the State of Bihar.

The petitioners seek bail in Nauhatta Police Station (for brevity, *PS*) Case No 132 of 2020 instituted for the offence punishable under Sections 341, 323, 307, 354B, 504, 506/34 of Indian Penal Code.

The petitioners allegedly indulged in eve-teasing the informant. She has raised an alarm on which 11 others have assaulted her brother and father who had come to her rescue.



Learned counsel for the petitioners submits that no allegation of assault is levelled against the petitioners. The same is against other 11 accused persons. Just to implicate the petitioners, the offence of eve-teasing has been inserted as the parties are on inimical terms since before. There is counter version of the occurrence to be found in Nauhatta PS Case No 133 of 2020. Having no criminal antecedent, petitioners are in custody since 22.08.2020

Learned APP has opposed the prayer for bail. It is submitted that in the case diary, material has come to show that the father and brother of the informant have been injured in the occurrence.

Considering the rival submissions, prayer for bail is allowed. Let the petitioners, above named, be released on bail on each of them furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Saharsa in connection with Nauhatta PS Case No 132 of 2020 subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioners who will give an affidavit giving genealogy as to how he is related with the petitioners. The bailor will also



undertake to inform the Court if there is any change in the address of the petitioners.

(ii) That the petitioners will be well represented on each date and if they fail to do so on two consecutive dates, their bail bond will be liable to be cancelled.

Learned counsel for the petitioners is expected to honour his undertaking given in the instant proceedings today for depositing requisite Court fee and removing the defect (s), as pointed out, when called upon to do so.

**(Madhuresh Prasad, J)**

**M.E.H./-**

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