

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2457 of 2022

Arising Out of PS. Case No.-45 Year-2021 Thana- SAKATPUR District- Darbhanga

1. BHOGI ROY S/o- Late Sahdeo Roy Resident of Vill. - Naulakha, P.S. Sakatpur, District - Darbhanga.
2. Upendra Roy S/o- Late Sahdeo Roy Resident of Vill. - Naulakha, P.S. Sakatpur, District - Darbhanga.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Govind Kumar Jha, Adv.
For the Opposite Party/s : Mr. J.N. Thakur, APP

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 05-08-2022 Learned counsel for the petitioners is directed to remove all the defects pointed out by the Stamp Reporter within one month.

Heard learned counsel for the petitioners as well as the Mr. J.N. Thakur, learned APP for the State.

The petitioners apprehend their arrest in connection with Sakatpur P.S. Case No. 45 of 2021, registered for the offences punishable under Sections 341, 323, 354 (B), 379, 504, 506/34 of the Indian Penal Code.

As per allegation, the accused persons named in the FIR came to the land of the informant and forcibly tethered the cattle thereon. On protest, petitioner No. 1 assaulted the informant by catching her lock. When sisters-in-law of the informant, Purnima Devi and Durga Devi came to rescue her, the accused persons also assaulted her and they snatched a gold chain from her neck and co-



accused petitioner No. 2 destroyed the mobile set.

Learned counsel for the petitioner has submitted that the FIR was lodged after three days without any explanation. The petitioners are the persons of clean antecedent. There is land dispute between both the parties. As a matter of fact, the informant and her family members had encroached the public path and on the application of the petitioner No. 1 the proceeding under Section 133 of the Cr.P.C. was initiated and it was the reason of false implication of the petitioners.

Considering the above-mentioned facts and circumstances, especially the clean antecedents of the petitioners, let them, in the event of their arrest or surrender within four weeks before the learned court below, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Darbhanga in connection with Sakatpur P.S. Case No. 45 of 2021, subject to the conditions as laid down under Section 438(2) Cr.P.C.

Office shall ensure that all defects are removed by the petitioners within the stipulated time provided in para-1 hereinabove, failing which the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

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