

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27966 of 2021

Arising Out of PS. Case No.-207 Year-2020 Thana- BHAGWANPUR District- Kaimur
(Bhabua)

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1. RAKESH SAH Son of Lalita Sah Resident of Village - Madhopur, P.S. Belaon, District - Kaimur at Bhabua.
 2. LALITA SAH Son of Late Kesar Sah Resident of Village - Madhopur, P.S. Belaon, District - Kaimur at Bhabua.
 3. SHIV MUNI SAH Son of Late Kesar Sah Resident of Village - Madhopur, P.S. Belaon, District - Kaimur at Bhabua.
 4. SANJAY SAH @ SANJAY KUMAR SAH son of Lalita Sah Resident of Village - Madhopur, P.S. Belaon, District - Kaimur at Bhabua.
 5. SANDEEP SAH Son of Lalita Sah Resident of Village - Madhopur, P.S. Belaon, District - Kaimur at Bhabua.
 6. VIJAY SAH @ VIJAY KUMAR GUPTA Son of Shiv Muni Sah Resident of Village - Madhopur, P.S. Belaon, District - Kaimur at Bhabua.
 7. MANOJ SAH @ MANOJ KUMAR SAH Son of Shiv Muni Sah Resident of Village - Madhopur, P.S. Belaon, District - Kaimur at Bhabua.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Rajani Kant Pandey, Adv.
For the Opposite Party/s :	Mr. Satya Nand Shukla, Adv.
	Mr. Praveen Kumar, adv.

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

ORAL ORDER

2 10-03-2022 The learned counsel for the petitioners is directed to remove all the defects pointed out by the office within one month.

Heard the learned counsel for the petitioners as well as the learned counsel for the informant.

The petitioners apprehend their arrest in connection



with Bhagwanpur (Belaon) P.S. Case No. 207 of 2020 for the offence punishable under Sections 147, 149, 341, 323, 354(B), 379, 504 and 506 of the Indian Penal Code.

As per allegation, the accused persons assaulted the wife of the informant and also outraged her modesty.

The learned counsel for the petitioners has submitted that there is previous enmity between both the parties and the petitioners' side has also lodged a counter case, i.e. Bhagwanpur (Belaon) P.S. Case No. 206 of 2020 against the informant and his family members. He has further submitted that the allegation is general and omnibus. He has also submitted that although a case under Section SC/ST Act was pending against the petitioners and in that case, a compromise petition has been filed and there is every likelihood that in near future that case will be disposed of. The said compromise petition has been annexed as Annexure-3.

On the other hand, the learned counsel for the informant has submitted that there is specific allegation against the petitioners that they have assaulted and outraged modesty of the informant's wife, to which the learned counsel for the petitioners has submitted that the Investigating Authority did not find the case true under Section 354-B of the Indian Penal Code,



only non-bailable section in this case is Section 379.

Considering the above mentioned facts and circumstances, let the petitioners above named, in the event of their arrest or surrender, within four weeks from today, be released on bail on furnishing bail bonds of Rs. 10,000/- each with two sureties of the like amount each to the satisfaction of the learned court of Chief Judicial Magistrate, Kaimur at Bhabhua in connection with Bhagwanpur (Belaon) P.S. Case No. 207 of 2020, subject to condition as laid down under Section 438 (2) Cr.P.C.

Office shall ensure that all defects are removed by the petitioner within the stipulated time mentioned hereinabove, failing which, the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey , J)

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