

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56386 of 2023

Arising Out of PS. Case No.-333 Year-2022 Thana- SONEPUR District- Saran

1. Saroj Devi wife of Late Satendra Kumar Singh village- Jaitia Ps- Sonpur Dist- Saran
2. Saurabh Kumar son of Late Satendra Kumar Singh village- Jaitia Ps- Sonpur Dist- Saran
3. Saloni Kumari @ Saloni D/o- Late Satendra Kumar Singh village- Jaitia Ps- Sonpur Dist- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Alok Chandra
For the Opposite Party/s : Mr. Ajay Kumar Jha

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 30-08-2023 Heard the learned counsel for the petitioners and

the State.

2. The present petition has been filed on behalf of

the petitioners, apprehending their arrest, in connection with

Sonpur P. S. Case No. 333 of 2022, registered for the

offences punishable under Sections 341, 307, 323, 337,

354B, 427, 379, 504, 506 and 34 of the Indian Penal Code.

3. As per allegation, the petitioners want to grab

the property of the informant. It is also alleged that

petitioners tried to outrage her modesty and after damaging



her house and car, they took away some valuable things from her house.

4. The learned counsel for the petitioners submits that the petitioners is innocent and have falsely been implicated in this case. He further submits that the petitioners and the informant are family members and there is land dispute between them and there is case and counter case against them. He also submits that this case is the counter-blast of the case bearing Sonpur P. S. Case No. 313 of 2022, lodged by the petitioners' side against the informant. He further submits that this case is lodged only to harass the petitioners. He also submits that there is delay of 12 days in lodging the F.I.R. He further submits that there is no injury sustained by the informant and the entire story is false and concocted.

5. It is also stated in paragraph no. 2 of the petition that no similar petition has earlier been filed by the petitioners either before this Court or before the Hon'ble Apex Court.

6. It has further been stated that the petitioners



have no criminal antecedent.

7. The learned APP for the State has opposed the prayer for bail.

8. Considering the aforesaid facts and circumstances, the petitioners above-named, 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 Ld. Chief Judicial Magistrate, Saran at Chapra, in connection with Sonpur P. S. Case No. 333 of 2022, subject to the conditions as laid down under Section 438 (2) Cr.P.C. and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioners have any criminal antecedents, the learned court below shall cancel the bail bond of the petitioners after hearing them and getting satisfied that the petitioners have concealed their criminal antecedent despite their knowledge of the same.



(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, the learned court below shall cancel the bail bond of the petitioners.

9. The application stands allowed accordingly.

10. The learned counsel for the petitioners is directed to remove all the defects pointed out by the office within a period of one month and the Registry is directed to issue the certified copy of this order only after removal of office objections.

(Jitendra Kumar, J)

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