

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69130 of 2022

Arising Out of PS. Case No.-435 Year-2019 Thana- NAUTAN District- West Champaran

1. RUDAL SAH S/O LATE GULLI SAH Resident of village- Jhakhra Tola Sonarpatti, P.S.- Jagdishpur (Nautan), District- West Champaran.
2. SUGANTI DEVI @ SUMANTI DEVI W/O RUDAL SAH Resident of village- Jhakhra Tola Sonarpatti, P.S.- Jagdishpur (Nautan), District- West Champaran.
3. ANITA DEVI D/O RUDAL SAH Resident of village- Jhakhra Tola Sonarpatti, P.S.- Jagdishpur (Nautan), District- West Champaran.
4. MITHUN KUMAR S/O RUDAL SAH Resident of village- Jhakhra Tola Sonarpatti, P.S.- Jagdishpur (Nautan), District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Brij Kishor Mishra, Adv.
For the Opposite Party/s : Mr.Nand Kumar, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 27-03-2023 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 147, 148, 149, 341, 324, 307, 354(B) and 379 of the Indian Penal Code.

Allegedly, the petitioners, along with other accused persons, came to the informant armed with Lathi-danda assaulted the informant side. Petitioner no.4 is said to have outraged the modesty of the informant's minor daughter Radha Kumari.



It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. No such occurrence as alleged ever took place. Petitioners have been falsely implicated in this case due to ulterior motive. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. There is case and counter case between the parties. The instant case is counter blast of Nautan (Jagdishpur) P.S. Case No. 434 of 2019, lodged by petitioner no.1, in which petitioner no.1 and his wife Suganti Devi are victims of acid attack which was thrown by Mohan Sah, father of the present informant. Only to save his skin, the informant has lodged the present case against the petitioners. Both petitioner nos. 1 & 2 were examined and as per the medical report, both have sustained acid burn injuries. It is further submitted that from the perusal of the FIR, it is found that there is no specific allegation against the petitioners. Petitioners have no criminal antecedent as mentioned in para-3 of this application.

Learned APP for the State opposed the prayer for bail and submitted that as per the injury report of Rani Devi, the injury was found grievous in nature.

Having regard to the facts and circumstances of the case,



as there is general and omnibus allegation against the petitioners, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned lower Court where the case is pending/successor Court in connection with Nautan (Jagdishpur) P.S. Case No.435 of 2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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