

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14905 of 2024

Arising Out of PS. Case No.-214 Year-2019 Thana- SARAN COMPLAINT CASE District-
Saran

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1. Lal Badan Singh @ Ram Badan Singh SON OF BALESHWAR SINGH
RESIDENT OF VILLAGE- BELA, PS- ISUAPUR, DIST- SARAN AT
CHAPRA
 2. AJIT SINGH @ AJIT KUMAR SINGH @ MUNNA SINGH SON OF
BALESHWAR SINGH RESIDENT OF VILLAGE- BELA, PS- ISUAPUR,
DIST- SARAN AT CHAPRA

... .. Petitioner/s

Versus

1. The State of Bihar
2. LAL JHARI DEVI @ FULJHARI DEVI WIFE OF AMAR MAHTO
RESIDENT OF VILLAGE- BELA, PS- ISUAPUR, DIST- SARAN AT
CHAPRA

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dewendra Narayan Singh, Advocate

For the Opposite Party/s : Mr. Rabindra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 09-05-2024 1. Heard learned counsel for the petitioners and
learned APP for the State, Mr. Rabindra Kumar.
2. The petitioners apprehend their arrest in a case
registered for the offences punishable under Section 436 of the
Indian Penal Code.
3. In view of the submissions made by the learned
counsel appearing on behalf of the petitioners, the defect as
pointed out, is hereby ignored.
4. The learned counsel for the petitioners submits that
petitioners are persons with clean antecedent and have been



falsely implicated in the instant case by the complainant. It is next submitted that cousin grandson of petitioner no. 1 instituted Isuapur P.S. Case No. 152 of 2018 against the family members of the present complainant. It is further submitted that Isuapur P.S. Case No. 152 of 2018 was registered under various provisions of the IPC including Section 307 of the IPC. It is further submitted that the complainant, in order to coerce the cousin grandson of petitioner no. 1 into submission so that he withdraws Isuapur P.S. Case No. 152 of 2018, instituted the instant false case alleging that the petitioners along with other accused persons put her hut on fire. It is next submitted that the alleged date of occurrence is in between midnight of 02.01.2019 and 03.01.2019 whereas the instant complaint case came to be instituted on 18.01.2019 i.e. after a delay of more than 15 days. It is further submitted that no doubt in the complaint case, it has been specifically averred that police did not institute an FIR despite the complainant sending a registered notice to the concerned S.P. but then submits that the complainant in the complaint petition did not bring the receipt of the registered notice sent to the S.P. which amply demonstrates that the said submission has been made only to make out a case.

5. Learned A.P.P. for the State opposes the prayer for



anticipatory bail of the petitioners.

6. Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Complaint Case No. 214 of 2019 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

7. Accordingly, the present anticipatory bail application stands allowed.

(Satyavrat Verma, J)

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