

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 29470 of 2024

Arising Out of PS. Case No.-431 Year-2019 Thana- PIPRA District- East Champaran

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1. Narayan Sah Son Of Sitaram Sah Village- Bediban Madhuban, P.S- Pipra, District -East Champaran
 2. Chandrawati Devi @ Chandrawati Sah WIFE OF NARARYAN SAH Village- Bediban Madhuban, P.S- Pipra, District -East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Perna Rishi, Adv.

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

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 15-05-2024 Heard learned counsel appearing on behalf of the

petitioners and learned A.P.P. appearing for the State.

2. In this present case, the petitioners are apprehending their arrest in connection with Pipra P.S. Case No. 431 of 2019, registered on 18.12.2019 for the offences under Sections 420, 406, 379, 341, 342, 323, and 504 of the Indian Penal Code.

3. As per prosecution case, the petitioners with the help of 10 other co-accused persons, who were variously armed drove out the informant from his house and threw away his belongings. The occurrence took place in the background of dispute over the family property as informant and the petitioner no. 1 are brothers.

4. Learned counsel for the petitioners submits that the petitioners are quite innocent and have falsely been implicated in this case. From the F.I.R. itself, it is clear that there is dispute over the property as the informant claims he has got a share in the property which stands in the name of the petitioner no. 2, who is own sister-in-law of the informant. From the F.I.R., it also appears that only allegation against the petitioners is that they confined the informant in the house and released after two hours and threw away his belongings and detained his articles worth Rs. 60,000/- but the same is completely false and concocted. No offence under Sections 420, 406 and 379 of the I.P.C. is made out in the facts and circumstances of the case against the petitioners, who are having clean antecedents.

5. Learned A.P.P. appearing for the State opposes the submission made on behalf of the petitioners.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the possibility of false implication in the background of land dispute, let the petitioners, in the event of their arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand Only) each with two

sureties of the like amount each to the satisfaction of learned
Judicial Magistrate- 1st Class, Sadar, Motihari/concerned court
in connection with Pipra P.S. Case No. 431 of 2019, subject to
the conditions as laid down under Section 438(2) of the Code of
Criminal Procedure and other following conditions:

- (i) One of the bailors will be a close
relative of the petitioners.
- (ii) The petitioners will remain present
on each and every date fixed by the
court below, if so required by the
learned trial court.

(Arun Kumar Jha, J)

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