

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30237 of 2024

Arising Out of PS. Case No.-7 Year-2023 Thana- MADHEPURA District- Madhepura

1. Rajendra Sah Son of Late Awadh Sah Resident of village - Sahugarh, Janki Tola, Ward No.- 2, P.S.- Madhepura, District - Madhepura.
2. Ranjeet Sah Son of Rajendra Sah Resident of village - Sahugarh, Janki Tola, Ward No.- 2, P.S.- Madhepura, District - Madhepura.
3. Manjeet Sah Son of Rajendra Sah Resident of village - Sahugarh, Janki Tola, Ward No.- 2, P.S.- Madhepura, District - Madhepura.
4. Sanjeet Sah @ Bhima Sah Son of Rajendra Sah Resident of village - Sahugarh, Janki Tola, Ward No.- 2, P.S.- Madhepura, District - Madhepura.
5. Bikram Sah Son of Rajendra Sah Resident of village - Sahugarh, Janki Tola, Ward No.- 2, P.S.- Madhepura, District - Madhepura.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kamal Kishore Singh
For the Opposite Party/s : Mr.Pranav Kumar

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 20-05-2024 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in a case in connection with Madhepura P.S. Case No. 07 of 2023 dated 02.01.2023 registered for the offence/s punishable u/ss 452, 341, 323, 325, 307, 354B, 379, 504, 506 read with section 34 of the Indian Penal Code.

3. As per the prosecution case, the petitioners and the co-accused persons armed with deadly weapons are alleged to



have entered the house of the informant and started abusing. On the exhortation of the petitioner no. 1 Rajendra Sah, all the accused persons assaulted the informant and tried to disrobe her. The petitioner no. 4 assaulted the informant with lathi and rod. The petitioner no. 2 assaulted one Mohit Kumar and the petitioner no. 5 assaulted one Sagar Kumar. All the accused persons assaulted one Dablu Kumar and Ravi Kumar. Meanwhile, the petitioner no. 1 and the co-accused Neelam Devi entered her house and took gold jewelleryes worth Rs. 1,50,000/- and Rs. 50,000/- in cash. It is further alleged that the sons of the petitioner no. 1 snatched the informant's jewelleryes worth Rs. 40,000/-.

4. Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been implicated in this case due to land dispute. Both the parties are Gotias and due to land dispute, the title suit No. 197 of 2003 is pending. There is general and omnibus allegation against the petitioners The petitioner no. 1 has 27 criminal antecedents out of which he was acquitted in 7 criminal cases and in rest cases he is on bail except on case, the petitioner no. 2 has 12 criminal antecedents out of which he was acquitted in 4 criminal cases and in rest cases he is on bail, the petitioner no. 3 has 14



criminal antecedents out of which he was acquitted in 4 criminal cases and in rest cases he is on bail except one case, the petitioner no. 4 has 10 criminal antecedents out of which he was acquitted in 4 criminal cases and in rest cases he is on bail and the petitioner no. 5 has 6 criminal antecedents and he is on bail as stated at para 3 of the bail petition.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioners.

6. Considering the aforesaid facts and circumstances of the case, let the above named petitioners, in the event of their arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 20,000/- (Rupees Twenty thousand) each with two sureties of the like amount each to the satisfaction of learned court concerned, Madhepura in connection with Madhepura P.S. Case No. 07 of 2023 dated 02.01.2023, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure, with further condition/s:-

(i) The petitioners are directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bonds of the petitioners are liable to cancelled.



7. This application stands allowed.

(Chandra Prakash Singh, J)

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