

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33041 of 2024

Arising Out of PS. Case No.-20 Year-2024 Thana- CHHAURADANO District- East
Champaran

-
1. Shivpujan Sah Son of Late Satyanarayan Sah Resident of Village- Chhauradano, P.S.- Chhauradano, Dist.- East Champaran
 2. Kunti Devi Wife of Bhola Prasad Resident of Village- Chhauradano, P.S.- Chhauradano, Dist.- East Champaran
 3. Anu Kumari Wife of Basukinath Kumar Resident of Village- Chhauradano, P.S.- Chhauradano, Dist.- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Rajesh Ranjan, Advocate
For the Opposite Party/s	:	Mr. Nand Kishore Prasad, APP
For the Informant	:	Mr. Rahul Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 23-05-2024 Heard learned counsel for the petitioners, learned
A.P.P. for the State and learned counsel for the informant.

2. The petitioners apprehend their arrest in connection with Chhauradano P.S. Case No. 20 of 2024 instituted under Sections 341,323, 504, 506, 354, 420, 467, 385 and 34 of the Indian Penal Code.

3. As per the prosecution case, when the informant was cleaning her land of old house for making new house, the petitioners armed with *lathi*, *danda*, etc. came there and opposed her to do the same. It is further alleged that when the informant opposed, the accused person, namely, Basukinath and Rajababu



tried to outrage her modesty. It is also alleged that petitioner no. 1 also stated that he has transferred the said land to both her daughters-in-law i.e. petitioner nos. 2 and 3.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. He further submits that the petitioner no. 1 is old person aged about 74 years and petitioner nos 2 and 3 are the women and the petitioner no. 3 is also presently pregnant. There is land dispute between the parties and the title suit is still pending for adjudication in the Court Concerned. Both the parties are own *patidars*. There is delay of 78 days in lodging the FIR without any plausible explanation. The petitioners have no criminal antecedent and they undertake to co-operate in the investigation

5. Learned A.P.P. for the State as well learned counsel for the informant oppose the prayer for anticipatory bail. It is submitting by learned counsel for informant that partition has already been taken place between the parties, however, petitioner no. 1 has sold the said property of informant to his daughters-in-law.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks



from today, the petitioners be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount to each to the satisfaction of the learned J.M.- 1st Class, Raxaul at Motihari/ Concerned Court Below in connection with Chhauradano P.S. Case No. 20 of 2024 , subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

(Sunil Dutta Mishra, J)

ashishkr/-

U		T	
---	--	---	--

