

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48258 of 2024

Arising Out of PS. Case No.-247 Year-2023 Thana- SAHARSA COMPLAINT CASE
District- Saharsa

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1. Jaipal Kamat @ Fekan Kamat SON OF LATE BHOLAN KAMAT VILLAGE- MURADPUR TOLA- CHAUTARA, WARD NO. 11, PS- NAUHATTA, DIST- SAHARSA
 2. BIPIN KUMAR KAMAT @ BIPIN KAMAT SON OF GOPAL KAMAT VILLAGE- MURADPUR TOLA- CHAUTARA, WARD NO. 11, PS- NAUHATTA, DIST- SAHARSA
 3. MANOJ KAMAT SON OF SHYAM KAMAT VILLAGE- MURADPUR TOLA- CHAUTARA, WARD NO. 11, PS- NAUHATTA, DIST- SAHARSA

... .. Petitioner/s

Versus

1. The State of Bihar
2. SAVITA DEVI WIFE OF BISHNU DEV KAMAT VILLAGE- MURADPUR TOLA- CHAUTARA, WARD NO. 11, PS- NAUHATTA, DIST- SAHARSA

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sharda Nand Mishra, Adv.

For the Opposite Party/s : Mr.Chandra Sen Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 03-12-2024 Heard learned counsel for the petitioners and learned APP

for the State. However, despite valid service of notice, nobody has entered appearance on behalf of the O.P. No.2.

2. Petitioners apprehend their arrest in a case registered for the offence punishable u/s 341, 323, 354(B) of the IPC.

3. Allegation against the petitioners is of molesting the complainant on the point of knife.

4. It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case due to old enmity.



It is submitted that the present case is the counter blast of Nauhatta P.S. Case No.10/2023 lodged on 21.01.2023 by the mother of petitioner no.3 against the husband of the complainant of the present case and others. There is an admitted land dispute between the parties. No offence is made out u/s 354(B) of IPC against the petitioners as there is no evidence against them. Petitioners have no criminal antecedent.

5. Learned APP for the State opposed the prayer for bail.

6. Having regard to the facts and circumstances of the case, since, earlier a case was lodged by the petitioners' side against the complainant's husband, 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 court below where the case is pending/Successor Court in connection with Complaint Case No.247C/2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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