

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47264 of 2024

Arising Out of PS. Case No.-129 Year-2024 Thana- KANTI District- Muzaffarpur

1. Munna Sah Son of Dhodha Sah @ Thoda Sah Resident of Vill- Chapra Manorath, P.S.- Kanti, District- Muzaffarpur.
2. Raju Sah @ Shouli Sah Son of Dhodha Sah @ Thoda Sah Resident of Vill- Chapra Manorath, P.S.- Kanti, District- Muzaffarpur.
3. Dhodha Sah @ Thoda Sah Son of Late Chhattu Sah Resident of Vill- Chapra Manorath, P.S.- Kanti, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Saurav Anand , Advocate
For the Opposite Party/s : Mr. Madan Kumar , APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 19-08-2024 Heard learned counsel for the petitioners and the

State .

2. Petitioners apprehend their arrest in a case registered for the offence punishable under sections 147, 149, 341 , 323 , 447, 354 (B), 379, 307 and 504 of the Indian Penal Code .

3 . As per prosecution case, on 17/02/2024 at about 6 AM, the informant was at her residence, in the meanwhile, these petitioners along with other co-accused persons holding iron rod, iron hammer, and stick, came and entered into the house of informant and caught hold of the informant's hair and dragged



her towards Darwaja and started abusing and assaulting her. It is further alleged that co-accused, Birju Sah, inflicted iron rod on the head of the informant and due to which she sustained injuries, and when Sushila Devi, the daughter of the informant, came to rescue her, she was also assaulted by them on her head by means of iron rod, as a result of which she sustained head injury. It is further alleged that accused persons assaulted the husband of the informant Chandrika Sah by means of Hathauri and due to which he sustained injury. In the course of assault, co-accused, Birju Sah, tore the blouse of the informant and snatched Mangal Sutra from her neck, and other accused persons took out Rs. 10,000/- and other articles from the box kept in the house of the informant.

4. It is submitted on behalf of the petitioners that specific allegation of assault and outraging the modesty of informant is against other co-accused persons. So far as these petitioners are concerned, there is general and omnibus allegation against them and no specific overt act is alleged against them. Rest of allegations are ornamental in nature . Petitioners claim clean antecedent.

5 . Learned counsel for the State oppose the bail petition .



6 Considering the aforesaid facts and circumstances of the case, in the event of arrest or surrender within six weeks from today, let the petitioners, as named above, be enlarged on bail on furnishing bail bond of Rs.10,000/-(ten thousand) each with two sureties of the like amount each to the satisfaction of the learned ACJM – III West Muzaffarpur in connection with Kanti P.S. Case No. 129 of 2024 , subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure .

(Prabhat Kumar Singh, J)

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