

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 53134 of 2024

Arising Out of PS. Case No.-387 Year-2023 Thana- PAHARPUR District- East Champaran

1. DEVENDRA SAH SON OF LATE SHEONATH SAH RESIDENT OF VILLAGE - SONWAL UTTARPATTI, P.S. - PAHARPUR, DISTRICT - EAST CHAMPARAN
2. SONA DEVI WIFE OF DEVENDRA SAH RESIDENT OF VILLAGE - SONWAL UTTARPATTI, P.S. - PAHARPUR, DISTRICT - EAST CHAMPARAN
3. SUNITA DEVI WIFE OF BHULAN SAH RESIDENT OF VILLAGE - SONWAL UTTARPATTI, P.S. - PAHARPUR, DISTRICT - EAST CHAMPARAN
4. MANISHA DEVI @ MANITA DEVI WIFE OF SHANKAR SAH RESIDENT OF VILLAGE - SONWAL UTTARPATTI, P.S. - PAHARPUR, DISTRICT - EAST CHAMPARAN
5. SANTOSHI KUMARI DAUGHTER OF DEVENDRA SAH RESIDENT OF VILLAGE - SONWAL UTTARPATTI, P.S. - PAHARPUR, DISTRICT - EAST CHAMPARAN
6. ATURAN DEVI WIFE OF SHARWAN SAH RESIDENT OF VILLAGE - SONWAL UTTARPATTI, P.S. - PAHARPUR, DISTRICT - EAST CHAMPARAN
7. PARMILA DEVI WIFE OF BHUTAN SAH RESIDENT OF VILLAGE - SONWAL UTTARPATTI, P.S. - PAHARPUR, DISTRICT - EAST CHAMPARAN
8. MUNI DEVI WIFE OF LALBABU SAH RESIDENT OF VILLAGE - SONWAL UTTARPATTI, P.S. - PAHARPUR, DISTRICT - EAST CHAMPARAN

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Shankar Shrivastava, Advocate
For the Opposite Party/s : Mr. Rajendra Singh, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 28-08-2024 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend their arrest in a case



registered for the offences punishable under Sections 447, 341, 342, 323, 324, 325, 308, 504, 379, 506 and 34 of the Indian Penal Code.

3. All the petitioners along with two unknown persons variously armed are said to have come at the door of the informant and started to abuse her. When the informant forbade to do so they assaulted the informant and her family members. They also snatched away cash and jewellery.

4. It is submitted by learned counsel for the petitioners that the petitioners are quite innocent and have committed no offence. No such occurrence as alleged has ever taken place. Petitioners have been falsely implicated in this case. But as per the FIR, learned counsel for the petitioners submits that the petitioners have assaulted the informant and his family members but the learned court below after perusing the case diary has noted that the injuries are simple in nature. Learned counsel for the petitioners submits that the petitioners have no criminal antecedent as mentioned in para-3 of this application. Learned counsel for the petitioners further submits that the petitioner nos. 2 to 8 are female.

5. Learned APP for the State opposes the prayer for anticipatory bail.

6. Having regard to the facts and circumstances of the case as well as the fact that petitioner nos.2 to 8 are female, let



the above named petitioner nos. 2 to 8, 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 lower Court where the case is pending/successor Court in connection with Paharpur P.S. Case No.387 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

7. Considering the fact and circumstances of the case as well as the fact that there is specific allegation against petitioner no. 1, Devendra Sah of assaulting the informant by way means of *farsa*, I am not inclined to enlarge the petitioner no. 1 on bail. The prayer for anticipatory bail of the petitioner no. 1 is hereby rejected. However, the petitioner no.1 is directed to surrender before the learned Court below within six weeks from today and seek regular bail and the learned Court below would pass order in accordance with law without being prejudiced by this order.

(Anjani Kumar Sharan, J)

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