

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71617 of 2023

Arising Out of PS. Case No.-151 Year-2023 Thana- JOGAPATTI District- West Champaran

1. Sona Lal Sharma Son Of Motichandra Sharma Resident Of Village - Chaumukha, P.S. - Yogapatti, District - West Champaran, Bettiah
2. Neetu Devi Wife Of Sonalal Sharma Resident Of Village - Chaumukha, P.S. - Yogapatti, District - West Champaran, Bettiah

... .. Petitioner/s

Gautam828142

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Brajesh Kumar Singh, Adv.
For the Opposite Party/s : Mr. Umanath Mishra, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 08-01-2024 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 Yogapatti P.S. Case No. 151 of 2023 dated 17.04.2023 registered for the offences punishable u/ss 341, 323, 324, 307, 504 and 506 read with section 34 of the Indian Penal Code.

3. As per the prosecution case, when the uncle of the informant started abusing the informant and when she protested then the petitioners started assaulting her with iron rod and *lathi*. It is further alleged that the petitioner Sonalal Sharma assaulted the informant with iron rod due to which she sustained head



injury. When the mother and sister of the informant came to rescue her then the accused persons assaulted them and caused injury to them. Thereafter, the petitioner Sonalal Sharma tore the cloth of the informant and snatched *mangalsutra* from the neck of the informant's mother. He also threatened to kill the informant and her family members if she would lodge any case against them.

4. Learned counsel for the petitioners has submitted that the petitioners have falsely been implicated in this case. There is land dispute between the parties. The occurrence took place on 20.03.2023 but the F.I.R. was lodged on 17.04.2023 and there is a delay of 26 days without any explanation. Learned counsel has further submitted that the nature of injury was not mentioned in the impugned order dated 02.09.2023. The petitioners have no criminal antecedent as stated in 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 as well as the nature of allegation against the petitioners, 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, West Champaran at Bettiah in connection with Yogapatti P.S. Case No. 151 of 2023, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

7. This application stands allowed.

(Chandra Prakash Singh, J)

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