

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.89565 of 2024

Arising Out of PS. Case No.-284 Year-2024 Thana- KALYANPUR District- East Champaran

1. Rupendra Sah @ Rupindra Sah @ Supindra Sah S/o Late Raghunath Sah R/o Village- Ahiman Chhapra, P.S.- Kalyanpur, District- East Champaran
2. Shobha Devi W/o Rupendra Sah @ Rupindra Sah @ Supindra Sah R/o Village- Ahiman Chhapra, P.S.- Kalyanpur, District- East Champaran
3. Madhu Devi D/o Rupendra Sah @ Rupindra Sah @ Supindra Sah R/o Village- Ahiman Chhapra, P.S.- Kalyanpur, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhurendra Kumar, Adv.

For the Opposite Party/s : Mr. Syed Mojibur Rahman, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

2 08-01-2025 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend arrest in connection with Kalyanpur P.S. Case No. 284 of 2024 dated 30.08.2024, instituted for the offence punishable under Sections 127(1), 115(2), 117(2), 109, 352, 3(5) of the B.N.S..

3. The prosecution case, in short, is that on the date of occurrence, in the night for the sake of child dispute, all the accused persons came at the door of informant and started abusing her. On protest, petitioner no. 1 Rupendra Sah ordered to assault then Tuna Sah inflicted knife blow to her husband due



to which he sustained injury in his right side of Belly and when the informant came to save him, petitioner no. 2 Shobha Devi thrashed her.

4. Learned counsel for the petitioners submits that the petitioners are innocent and they have been falsely implicated in this case. It is submitted that there is specific allegation against Tuna Sah, who inflicted knife blow to the husband of the informant due to which he sustained injury in his right side of Belly and when the informant came to save him, petitioner no. 2 Shobha Devi thrashed her. It is submitted that petitioner no. 1 Rupendra Sah is only the order giver. There is no allegation of assault against petitioner no. 1. There is no specific allegation against petitioner no. 3. It is submitted that both the parties are agnates and they have filed compromise petition before the concerned court. Lastly, it has been submitted that they have no criminal antecedents.

5. Learned A.P.P. has opposed the prayer for bail of the petitioners.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioners within a period of six weeks from today, in connection with Kalyanpur P.S.



Case No. 284 of 2024, they shall be released on anticipatory bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned C.J.M., Motihari, East Champaran, subject to condition as laid down under Section 438(2) of the Cr.P.C..

(Khatim Reza, J)

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