

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 30934 of 2014

Arising out of P. S. Case No. - 244 Year - 2014 Thana - SAKRA District - MUZAFFARPUR

1. Ram Kumar, Son of Pashupati Das, resident of village / mohalla - Sakra
Wazid, Police Station - Sakra, District - Muzaffarpur

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

With

Criminal Miscellaneous No. 38862 of 2014

Arising out of P. S. Case No. - 244 Year - 2014 Thana - SAKRA District - MUZAFFARPUR

1. Amit Kumar, S/o Pashupati Das, Resident of Village / Mohalla Sakra
Wazid, Police Station Sakra, District Muzaffarpur

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

(In Cr.Misc. No.30934 of 2014)

For the Petitioner/s : Mr. Kailash Nath Diwakar, Advocate
Mr. Raju Kumar Goshwami, Advocate

For the Opposite Party/s : Mr. A. L. Pandit, A.P.P.

(In Cr.Misc. No.38862 of 2014)

For the Petitioner/s : Mr. Kailash Nath Diwakar, Advocate

For the Opposite Party/s : Mr. Dashrath Mehta, A.P.P.

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 29-01-2015

Heard the parties.

Both the Criminal Miscellaneous are in same police station case and are being heard together and disposed of by this common order.

In this application for anticipatory bail the petitioners apprehend their arrest for the offences punishable under Sections 341, 323, 448, 376, 511 and 379/34 of the Indian Penal Code.

The case is based on the complaint petition with



allegation that the petitioner Ram Kumar entered into the house of the complainant and tried to outrage her modesty which was objected and due to alarm being raised the husband of the complainant came for rescue then the petitioner Amit Kumar and other co-accused also came and started outraging the modesty and assaulting the complainant and her clothes were torn and further co-accused snatched gold chain from her neck and they assaulted the husband of the complainant but due to intervention of the villagers the husband of the complainant was saved. It is alleged that the petitioners and the other co-accused persons were causing threat to withdraw the case otherwise to cut his private parts.

Submission is that the complainant is in habit to file false case only with a view to harass the petitioners and others. No such occurrence has taken place. There is general and omnibus allegation. The petitioners and the husband of the complainant are own neighbour and due to some old dispute the petitioners have been involved in this case by the informant.

The learned A.P.P. fairly submits that allegation against the petitioners is of outraging the modesty and assault.

In the facts and circumstances as stated above, considering that the case is based on complaint petition and also there is previous enmity between the parties and there is no injury

report and, as such, the petitioners, above named, in case of their arrest or surrender within two months from the date of receipt/production of a copy of this order shall be released on bail on execution of bail bonds of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Muzaffarpur in connection with Sakra P.S. Case No. 244 of 2014, subject to the conditions as laid down in Section 438(2) of the Cr.P.C.

(Jitendra Mohan Sharma, J.)

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