

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 44796 of 2015

Arising Out of PS.Case No. -287 Year- 2014 Thana -GHORASAHAN District- EAST
CHAMPARAN (MOTIHARI)

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1. Sanjeet Kumar Son of Yogendra Ram.
2. Ravi Shanker Ram Son of Ramsogarath Ram.
3. Manorma Devi Wife of Sanjay Ram.
4. Manorma Devi Wife of Ranjay Ram.
5. Kanti Devi Wife of Yogenda Ram.
6. Budhan Paswan Son of Gorakh Paswan.
7. Pramod Kumar Yadav Son of Lal Babu Prasad Yadav @ Babulal Pd. Yadav.
All resident of village- Mahuahi, Murshidabad, P.S.- Ghorasahan,
District- East Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH

ORAL ORDER

2 14-10-2015 Heard learned counsel for the petitioners and
learned A.P.P. for the State.

The petitioners apprehend arrest in
Ghorasahan P.S. Case No. 287 of 2014 dated 05.08.2014
instituted under Sections 147/148/149/341/447/323/
326/307/504 of the Indian Penal Code.

The allegations against the petitioners are that
they have assaulted the informant and her family members in
a drunken state.

Learned counsel for the petitioners submits

that in fact the informant and her associates had attacked the wife of one of the accused Hira Lal Paswan and the accused had also tried to outrage her modesty for which Ghorasahan P.S. Case No. 288 of 2014 has been instituted. It is submitted that the petitioners have no criminal antecedent and just to save the accused of the other case, the present false case has been instituted.

Learned A.P.P. submits that the allegation made in Ghorasahan P.S. Case No. 288 of 2014 is not believable and further that there is injury report of the victims of the present case which corroborates the allegation whereas in the other case, no such injury report is available.

Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioners no. 3, 4 and 5 be released on 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 S.D.J.M., Sikrahana at Dhaka, East Champaran in Ghorasahan P.S. Case No.287 of 2014, subject to the conditions laid down in Section 438 (2) of the Code of Criminal Procedure, 1973.

The prayer for anticipatory bail of the petitioners no. 1, 2, 6 and 7 stands rejected. However, in the event petitioners no. 1, 2, 6 and 7 surrender and seek regular

bail, the same shall be considered by the Court below on its own merits without being prejudiced by the present order.

(Ahsanuddin Amanullah, J.)

Anand Kr.

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