

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11640 of 2018

Arising Out of PS.Case No. -86 Year- 2017 Thana -MAHILA PS District- DARBHANGA

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1. Manoj Ram, S/o Sri Ram Khelawan Ram,
 2. Manis Ram @ Mithun Ram @ Manish Kr. Ram, S/o Baldev Ram.
 3. Deepak Ram, D/o Radhey Shyam Ram.
 4. Lila Devi, W/o Radhey Shyam Ram.
 5. Punam Devi, W/o Bauwan Ram,
 6. Arhuliya Devi, W/o Ram Khelawan Ram,
 7. Jiwachh Ram, S/o Late Tetar Ram,
 8. Rajan Ram, S/o Mahendra Ram,
 9. Mahendra Ram, S/o Late Lutan Ram,
 10. Pabiya Devi, W/o Mahendra Ram, All resident of Village- Dumri, P.S. Biraul, District- Darbhanga.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vinay Kumar Mishra, Advocate.

For the Opposite Party/s : Mr. Bhanu Pratap Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 05-04-2018 Heard learned counsel for the petitioners and the State.

The petitioners apprehend their arrest in **Mahila P.S. Case No. 86 of 2017** instituted for the offence under Sections 447, 448, 504, 506, 509, 323, 354(A), 354(B), 376 and 511 of the Indian Penal Code.

It is alleged in the written report that on the date of occurrence all these petitioners along with other accused persons entered into the house of informant. It is alleged that co-accused



Ashok Ram and Radheshyam Ram abused the informant and told her father why your daughter used to go to college for study. It is further alleged that jiwachh Ram (petitioner No.7) ordered to bring the informant by catching her from the house. Thereafter, the informant was brought in the courtyard by the accused persons. She was made naked and assaulted by fists and slaps. On protest by father of the informant, he was also assaulted by accused persons with fists and slaps, as a result of which, both got injury in their ear. They got treatment at DMCH. It is further alleged that all the accused persons threatened the informant and her parents to not lodge the case.

This Court keeping in view the nature of allegation is not inclined to grant anticipatory bail to petitioner Nos. 1, 2, 3, 7, 8 and 9 namely, Manoj Ram, Manish Ram @ Mithun Ram @ Manish Kr. Ram, Deepak Ram, Jiwachh Ram, Rajan Ram and Mahendra Ram.

Prayer for anticipatory of petitioner Nos. 1, 2, 3, 7, 8 and 9 stands rejected.

So far petitioner Nos. 4, 5, 6, and 10 are concerned, they all are ladies. The prayer for anticipatory bail of the petitioner Nos. 4, 5, 6 and 10 namely, Lila Devi, Punam Devi, Arhuliya Devi and Pabiya Devi is allowed. In the event of surrender/arrest of the



petitioner Nos. 4, 5, 6 and 10, named above, within six weeks from today, in connection with **Mahila P.S. Case No. 86 of 2017**, they shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned **Sub Divisional Judicial Magistrate, Darbhanga**, subject to the conditions as laid down under Section 438 (2) Cr. P.C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioners shall cooperate in the trial and shall be present on each and every date fixed by the court and their absence on two consecutive dates without proper and reasonable reason will be liable to cancel their bail bond and (3) if petitioners tamper with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioners.

(Sanjay Priya, J)

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