

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49276 of 2019

Arising Out of PS. Case No.-80 Year-2019 Thana- MOHANIYA District- Kaimur (Bhabua)

1. Mithilesh Kumar Bharti @ Mithilesh Kumar, Aged about 25 years, Male, Son of Harbansh Ram, Resident of Village Harnathpur, P.S. Mohania, District Kaimur at Bhabua.
2. Ranjan Kumar, Aged about 28 years, Male, Son of Harbansh Ram, Resident of Village Harnathpur, P.S. Mohania, District Kaimur at Bhabua.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajani Kant Pandey
For the Opposite Party/s : Mr.Jai Narain Thakur

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 07-08-2019 Heard both sides.

Petitioners apprehend their arrest in Mohania P.S.
Case No.80 of 2019, registered under Sections 447, 448, 323,
354(A), 354(B), 379 and 34 of the Indian Penal Code.

The informant disclosed in her application that on
13.02.2019 she was returning to her residence. She was having
Rs.47,000/- cash and a cheque of Rs.60,000/- in her name but
Ranjan Kumar, petitioner no.2, Mithilesh Kumar, petitioner
no.1, Pushpa Devi, Bechni Devi and Tetri Devi tried to snatch
her money and cheque. They all assaulted her and also started
teasing her. Some how she came to her residence and while she
was cooking food, Sudhir Kumar Bharti entered into her room,



locked the room from inside and assaulted her with fists and slaps. He pressed her neck with an intention to kill her. She further alleged that accused Sudhir Kumar Bharti took away cash, cheque, other articles and ornaments from her house.

Learned counsel for the petitioners submits that the informant is a habitual litigant. She earlier filed Mohania P.S. Case No.123 of 2014 against Sudhir Kumar Bharti alleging therein that she solemnized marriage with him in a Hanuman Temple but made allegation that Sudhir Kumar Bharti committed rape with her. The informant lodged Bhabua P.S. Case No.358 of 2011 under Sections 354, 384 and other Sections of the Indian Penal Code and 3(i)(x) of the S.C./S.T. Act against Dara Singh and others. The informant also lodged Bhabua P.S. Case No.391 of 2010 and Patna Sadar Mahila P.S. Case No.32 of 2014. Sudhir Kumar Bharti is also made accused in the present case. It is further submitted that petitioners have no manner of concern with the informant but they have falsely been implicated in the case. The occurrence is said to have taken place on 13.02.2019 but the informant gave information to the police on 17.02.2019 and this fact itself shows the falsity of the allegation and the institution of the case. It is further submitted that Sudhir Kumar Bharti, who is alleged to have snatched cash,



cheque and other articles from the informant, has already been enlarged on anticipatory bail vide order dated 30.07.2019, passed in Cr. Misc. No.46826 of 2019.

Taking into consideration the facts aforesaid and the fact that the petitioners have got no criminal antecedent, let petitioners, above named, in the event of their arrest or surrender before the court below within four weeks from the date of receipt of this order, be enlarged on bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned C.J.M., Kaimur at Bhabua in connection with Mohania P.S. Case No.80 of 2019, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Prabhat Kumar Jha, J)

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