

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.54784 of 2019**

Arising Out of PS. Case No.-11 Year-2019 Thana- KATEYA District- Gopalganj

1. ANUP RAM @ ANUP RAM RAM, aged about 30 years, Male, Son of Sanhu Ram @ Sanhu Ram Ram, Resident of Village-Betwaniya, Ward No.3, PS-Kateya, District-Gopalganj
2. Dilip Ram @ Dilip Ram Ram, aged about 27 years, Male, Son of Sanhu Ram @ Sanhu Ram Ram, Resident of Village-Betwaniya, Ward No.3, PS-Kateya, District-Gopalganj
3. Sanhu Ram @ Sanhu Ram Ram, aged about 55 years, Male, Son of Kariman Ram, Resident of Village-Betwaniya, Ward No.3, PS-Kateya, District-Gopalganj
4. Ramesh Ram, aged about 35 years, Male, Son of Jainarayan Ram, Resident of Village-Sota Dharahara, P.S-Kateya, District-Gopalganj

... Petitioners

Versus

The State of Bihar

... Opposite Party

**Appearance :**

For the Petitioners : Mr. Sanjay Kumar Pandey No.5, Adv.

For the Opposite Party : Mr. Upendra Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA**

ORAL ORDER

2      30-08-2019                      Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the state.

The petitioners seek pre-arrest bail in connection with Kateya P.S. Case No. 11 of 2019 (G.R. No. 113 of 2019) for the offences alleged under Sections 341, 323, 324, 307, 504 and 354(b) of the Indian Penal Code.

The accusation is that in the evening of 06.01.2019, informant, Manju Devi, along with Soni Devi, had gone to attend the call of nature. In the way, petitioners reached near them and started to cause assault and torn her saree and blouse.



On raising alarm by the informant, Sonam Devi and Punam Devi rushed to save her, then, they were also slapped. On hearing the noise husband of the informant, Hari Ram, reached there. In the meantime, petitioner no. 1, Anup Ram, gave the farsa blow on her head, then, she fell down. Harendra Ram, brother-in-law of the informant was also assaulted with farsa by petitioner no. 3, Sanhu Ram.

The submission of the learned counsel for the petitioners is that the petitioners and informant are gotia and due to land dispute occurrence of marpeet took place in which petitioners' side also sustained injury regarding which Kateya P.S. Case No. 14 of 2019 was instituted under Sections 341, 323, 324, 325, 307, 354B, 504 and 34 of the Indian Penal Code on the basis of written report of son-in-law of petitioner no. 2, Dilip Ram. The injuries as found on the persons of husband and brother-in-law of the informant are simple in nature. Only one injury was found on skull of the informant, which was lacerated would in nature, regarding which opinion is kept reserved.

Learned Additional Public Prosecutor for the State opposes the prayer for pre-arrest bail.

Having regard to the facts and circumstances of the case, let the petitioners 2 to 4, above named, in the event of



surrender/arrest, within a period of four weeks from today, in connection with Kateya P.S. Case No. 11 of 2019 (G.R. No. 113 of 2019) shall be released on pre-arrest bail on furnishing bail bonds of Rs.10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate, XV, Gopalganj, or the successor Court subject to the conditions as laid down under Section 438(2) Criminal Procedure Code.

Taking into consideration the allegation made against petitioner no. 1, Anup Ram, his prayer for pre-arrest bail is rejected. He is directed to surrender before the Court below and seek regular bail, which will be considered on its own merit and without being prejudiced of this order.

**(Rajendra Kumar Mishra, J)**

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