

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73097 of 2019

Arising Out of PS. Case No.-48 Year-2019 Thana- BISHWAMBHARPUR District-
Gopalganj

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1. Azad Hussain @ Azad Ansari Son of Bala Husain Ansari through his father and natural guardian namely Bala Hussain Ansari Resident of Village-Jamuniya, P.S.-Bishwambharpur, District-Gopalganj.
 2. Dipendra Parit @ Dipendra Kumar Parit Son of Nandlal Parit Resident of Village-Jamuniya, P.S.-Bishwambharpur, District-Gopalganj.
 3. Akbar Husain @ Akbar Ansari Son of Saluddin Ansari @ Khalauddin Ansari Resident of Village-Jamuniya, P.S.-Bishwambharpur, District-Gopalganj.
 4. Ravi Parit @ Ravi Kumar Parit @ Ravi Kumar Son of Mainejar Parit Resident of Village-Jamuniya, P.S.-Bishwambharpur, District-Gopalganj.
 5. Aalim Mian @ Nabi Rasul Son of Hakim Resident of Village-Jamuniya, P.S.-Bishwambharpur, District-Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Uday Pratap Singh, Advocate.

For the Opposite Party/s : Mr.Dr.Mrityunjaya Kr.Gautam, APP

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 19-11-2019 Heard learned counsel for the petitioners and the
learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Bishwambharpur P.S. Case No. 48 of 2019, registered under Sections 448, 341, 323, 354B, 324, 307, 379 and 504/34 of the Indian Penal Code.

The accusation is that in the midnight of 29.05.2019, informant, Meena Devi, was sleeping at her roof



then heard the cry of her daughter, Shalu Kumari, aged about, 18 years. Thereafter, he got down on the ground and saw that Azad Hussain (petitioner no.1) and Dipendra Pandit (petitioner no.2) were indulging in outrage the modesty of her daughter. When she reached to save her daughter then Arun Pandit and Akbar Hussain (petitioner no.3) started to assault her through iron rod. When her son, Bittu Kumar, rushed there then he was also assaulted by them. At that time, they took away her household articles and snatched the gold chain from the neck of her daughter.

Learned counsel for the petitioners submits that due to creating nuisance by the informant and her other family members on the occasion of marriage function of daughter of Ambika Pandit, Bishwambharpur P.S. Case No. 47 of 2019 was instituted by Ambika Pandit against the informant and others due to that reason only to give undue pressure, the present case has been lodged with false allegation. Further submission is that petitioners have no criminal antecedent.

Having regard to the facts and circumstances of the case, let the above named petitioners be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, 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 A.C.J.M.-X, Gopalganj, in connection with Bishwambharpur P.S. Case No. 48 of 2019, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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