

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78467 of 2019

Arising Out of PS. Case No.-172 Year-2019 Thana- PRANPUR District- Katihar

1. Mangan Oraon @ Magan Urawn, son of late Bhokre Oraon,
2. Dhananjay Oraon @ Tektar Oraon @ Dhanjay Uraon, son of Mangan Oraon @ Mangan Urawn,
3. Sanjay Oraon, son of Mangan Oraon @ Mangan Urawn, all resident of village- Khushhalpur Badagar, Kehunia, P.S.- Pranpur, District- Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bimal Kumar, Advocate

For the Opposite Party/s : Mr. Surendra Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date : 03-12-2019

Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners apprehend arrest in connection with
Pranpur PS Case No.172 of 2019 dated 21.08.2019 instituted
under Sections 341, 323, 379, 354-B, 504, 506/34 of the Indian
Penal Code.

3. The allegation against the petitioners is of entering
the house of the informant, assaulting her and also trying to
outrage her modesty as well as snatching of her silver chain.

4. Learned counsel for the petitioners submitted that
the allegations are totally false and fabricated. It was submitted



that the petitioner no.1 is father of the petitioners no. 2 and 3 and is working as Home Guard and the informant and her family members indulge in illegal activities, which is reported by the petitioner no. 1 leading to false implication. It was submitted that despite of accusation of assault neither is there any description nor injury report or where she took medical aid. It was submitted that no such incident has ever taken place and the petitioners having no criminal antecedent have been implicated with *malafide* intention and for oblique reasons. It was submitted that false implication is clear from the fact that if witnesses have supported the prosecution case then there is no explanation as why nobody came to save the informant and most importantly, though the incident is said to have occurred at 10.00 AM on 19.08.2019, but the First Information Report has been lodged on 21.08.2019 at 10.00 AM i.e., after forty-eight hours for which there is no explanation.

5. Learned APP submitted that witnesses have stated with regard to the occurrence.

6. 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 four weeks from today, the petitioners be released on bail upon furnishing



bail bonds of Rs.25,000/- (twenty five thousand) each with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate, 1st Katihar, in Pranpur PS Case No.172 of 2019 subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

8. The application stands disposed off.

(Ahsanuddin Amanullah, J)

J. Alam/-

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