

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.69307 of 2019**

Arising Out of PS. Case No.-225 Year-2019 Thana- DURGAWATI District- Kaimur (Bhabua)

1. NASIM KHAN @ NASIMUDDIN KHAN Son of Jainuddin Khan, Resident of Village - Krari, P.S.- Durgawati, Distt - Kaimur at Bhabhua.
2. Hasib Khan Son of Jainuddin Khan Resident of Village - Krari, P.S.- Durgawati, Distt - Kaimur at Bhabhua.
3. Jainuddin Khan Son of Late Fateh Khan Resident of Village - Krari, P.S.- Durgawati, Distt - Kaimur at Bhabhua.
4. Imran Khan Son of Asdullah Khan Resident of Village - Krari, P.S.- Durgawati, Distt - Kaimur at Bhabhua.
5. Taufik Khan Son of Mohammad Khan Resident of Village - Krari, P.S.- Durgawati, Distt - Kaimur at Bhabhua.
6. Arman Khan Son of Mohammad Khan Resident of Village - Krari, P.S.- Durgawati, Distt - Kaimur at Bhabhua.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Sheo Kumar Prasad  
For the Opposite Party/s : Mr.Brajendra Nath Pandey

**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH**  
**ORAL ORDER**

2      16-11-2019                      Heard the learned counsel for the petitioners and the learned APP for the State.

The petitioners apprehend their arrest in connection with Durgawati P.S. Case No. 225 of 2019 for the offence punishable under Sections 341, 323, 504, 506 and 354(B) of the Indian Penal Code.

The allegation is regarding the petitioner no.2 having arrived at the house of the informant, who is stated to be his



mother-in-law, along with his second wife, which resulted in altercation and there is allegation of outraging modesty of the informant and her daughter by the accused persons i.e. the petitioners herein.

The learned counsel for the petitioners submits that on account of there being matrimonial dispute between petitioner no.2 and the daughter of the informant, the aforesaid false case has been lodged against the petitioners. It is further submitted that a bare perusal of the FIR in question would show that the entire allegations are concocted and the allegation of outraging the modesty is general in nature, which has been levelled to prevent the accused persons from getting bail. It is further submitted that except petitioner no.2, the rest of the petitioners are having clean antecedent and as far as the petitioner no. 2 is concerned, one case under Section 498A of the Indian Penal Code is pending.

Having regard to the facts and circumstances of the case, in the event of arrest or surrender in the court below within a period of four weeks from today, the petitioners above named shall be released on anticipatory bail on furnishing bail- bonds of Rs. 10,000/- each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Kaimur at



Bhabhua in connection with Durgawati P.S. Case No. 225 of 2019, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure.

**(Mohit Kumar Shah, J)**

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