

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77488 of 2019

Arising Out of PS. Case No.-98 Year-2019 Thana- PARASBIGHA District- Jehanabad

1. LAXAMAN RAM @ LAXMAN PRASAD Son of Late Keshar Ram Resident of Village-Nehalpur, P.S.-Paras Bigha, District-Jehanabad.
2. Sarju Ram @ Sarju Kumar Son of Ramjee Ram Resident of Village-Nehalpur, P.S.-Paras Bigha, District-Jehanabad.
3. Ramjee Ram Son of Late Keshar Ram Resident of Village-Nehalpur, P.S.-Paras Bigha, District-Jehanabad.
4. Surendra Ram Son of Jageshwar Ram Resident of Village-Nehalpur, P.S.-Paras Bigha, District-Jehanabad.

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Deepak Kumar, Advocate
For the Opposite Party/s : Mr. Awadhesh Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

27 09-12-2019 Heard the learned counsel for the petitioners
and the State.

The petitioners seek bail in anticipation of their arrest in connection with Paras Bigha P.S. Case No. 98 of 2019 dated 18.05.2019 instituted for the offences under Sections 341, 323, 504, 506, 379, 354(b) and 34 of the Indian Penal Code.

The informant is said to have been waylaid by the petitioners and attempted to be molested. However, on protest, she is said to have been assaulted and her personal belongings were also snatched away.

It has been submitted that an absolutely false



case has been lodged against the petitioners. The occurrence is said to have taken place on 14.05.2019 but the report regarding the same has been lodged after about four days i.e. on 18.05.2019 without any explanation as to the aforesaid delay. Apart from this, it has been argued that the petitioners no. 1 and 3 are own brothers whereas petitioner no. 2 is the son of petitioner no. 3 and petitioner no. 4 is the cousin of petitioners no. 1 and 3. It has been submitted that with this kind of relationship between the petitioners, it does not appear to be probable that all of them would waylay a lady for immoral purposes. It has been submitted that the reason for filing this false/motivated case is something different. There was some dispute with respect to feeding of the cattle and therefore the aforesaid case has been lodged in order to feed fat this grudge.

Learned counsel for the petitioners further submits that during the course of investigation, it has been gathered that the informant has received simple injuries which may not be attributable to the assault alleged against the petitioners.

However, considering the nature of accusation, I am not inclined to grant anticipatory bail to the petitioners.



Accordingly, the same is rejected.

Should the petitioners surrender and pray for bail, the court below shall take into account all the aforestated facts and shall pass orders in accordance with law without being prejudiced by the fact that the present case has not been entertained.

(Ashutosh Kumar, J)

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