

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77370 of 2019

Arising Out of PS. Case No.-354 Year-2019 Thana- SIRDALA District- Nawada

1. KAPIL PRASAD Son of Late Bhimal Prasad Resident of Village-Alma, P.S.-Sirdala (Meskaur), District-Nawada.
2. Mukesh Prasad @ Mukesh Kumar Son of Suresh Prasad Resident of Village-Alma, P.S.-Sirdala (Meskaur), District-Nawada.
3. Suresh Prasad Son of Late Bhimal Prasad Resident of Village-Alma, P.S.-Sirdala (Meskaur), District-Nawada.
4. Musafir Prasad Yadav @ Musafir Prasad Son of Late Bhimal Prasad Resident of Village-Alma, P.S.-Sirdala (Meskaur), District-Nawada.
5. Mahendra Prasad Son of Kapil Prasad Resident of Village-Alma, P.S.-Sirdala (Meskaur), District-Nawada.
6. Pradeep Kumar @ Pradeep Prasad Son of Musafir Prasad Resident of Village-Alma, P.S.-Sirdala (Meskaur), District-Nawada.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Birendra Kumar
For the Opposite Party/s : Mr.Choubey Jawahar

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 28-11-2019 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Sirdala (Meskaur) P.S. Case No.354 of 2019 registered under Sections 147, 148, 149, 341, 323, 504, 506, 379, 427, 354 and 308 of the Indian Penal Code.

The accusation is that 13 persons, named in the F.I.R., including the petitioners variously armed with weapons



entered into the house of the informant Pinki Devi and started to cause assault to the informant and her husband. At that time, Sandeep Prasad gave the Khanti blow at the head of the husband of the informant causing injury to him and the petitioner no.3 Suresh Prasad pulled the Saree of the informant and tried to outrage her modesty catching hold of her breast. At that time, Sundari Devi caused assault to the informant through lathi, whereas all damaged the households articles of the informant. In that course, Kapil Prasad (petitioner no.1) and Mahendra Prasad (petitioner no.5) took away the ornaments and cash after breaking the box of the informant.

Learned counsel for the petitioners submits that the petitioners and the informant are Gotiyas and due to land dispute, the informant has lodged the present case with false allegation of making attempt to outrage her modesty by the petitioner no.3. Moreover, the injury, as found on the person of the husband of the informant, is simple in nature.

Having considered the facts and the circumstances of the case, let the petitioners, above named, in the event of their arrest or surrender by them within six weeks from today, be enlarged on bail on their furnishing bail bond 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-VI, Nawada, in connection with Sirdala (Meskaur)
P.S. Case No.354 of 2019, subject to the conditions laid down
under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

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