

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79913 of 2019

Arising Out of PS. Case No.-189 Year-2019 Thana- KHODAWANDPUR District- Begusarai

1. Pankaj Kumar Singh @ Pankaj Kumar, Son of Pawan Prasad Singh, Resident of Village- Meghaul, P.S.- Khodawandpur, District- Begusarai.
2. Shambhu Narayan Singh, Son of Late Nandan Prasad Singh @ Ramnandan Singh, Resident of Village- Meghaul, P.S.- Khodawandpur, District- Begusarai.
3. Pushpak Kumar Singh @ Pushpak Kumar @ Chhathu @ Chhotu, Son of Pawan Prasad Singh, Resident of Village- Meghaul, P.S.- Khodawandpur, District- Begusarai.
4. Manoranjan Kumar @ Manoranjan Kumar Singh @ Magan Kumar, Son of Late Gopal Prasad Singh, Resident of Village- Meghaul, P.S.- Khodawandpur, District- Begusarai.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Sandip Kumar Gautam, Advocate
For the Opposite Party/s : Mr.Sanjay Kumar Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 05-12-2019 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

Petitioners in the present case are seeking anticipatory bail in connection with Khodawandpur P.S. Case No. 189 of 2019 registered for the offences punishable under Sections 341, 354B, 504, 506, 34 of the Indian Penal Code.

Learned counsel for the petitioners submits that the petitioners are co-villagers and close agnates of the informant. There is a case and counter case between the parties and in order



to falsely implicate the petitioners' side, the present case has been lodged. It is submitted that so far as the allegation under Section 354B IPC is concerned, there is no allegation of tearing the cloth of the informant is against these petitioners. Such allegations have been made against co-accused who are not the petitioner. So far as petitioner nos. 1 and 2 are concerned, they have got two cases against them of trivial nature and there is no case against petitioner nos. 3 and 4, moreover the allegation in the present case is arising out of some family dispute and it is being a case of false implication, the petitioners may be granted privilege of anticipatory bail.

Learned A.P.P. for the State has opposed the prayer for bail.

Considering the facts and circumstances of this case, the submission that both the parties are close agnates and co-villagers, there is a case and counter case and further so far as these petitioners are concerned allegations against them are that they were also among the persons who had entered in the house of the informant and abused her, but there is no allegation that these petitioners had in any manner touched the informant or had done any act towards pulling her cloths, let the petitioners above named in the event of their arrest or surrender within a



period of four weeks from today be enlarged on bail on furnishing bail bonds of Rs. 15,000/- (fifteen thousand) each with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Manjhaul, Begusarai in connection with Khodawandpur P.S. Case No. 189 of 2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C. i.e.

(i) a condition that the person shall make himself available for interrogation by a police officer as and when required;

(ii) a condition that the person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;

(iii) a condition that the person shall not leave India without the previous permission of the Court.

(Rajeev Ranjan Prasad, J)

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