

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10979 of 2020

Arising Out of PS. Case No.-2201 Year-2016 Thana- COMPLAINT CASE District- Araria

1. Binod Mandal Son of Late Sughan Lal Mandal Resident of Village - Kodaili, P.S.- Palasi, Dist.- Araria.
2. Nilam Devi W/o Binod Mandal Resident of Village - Kodaili, P.S.- Palasi, Dist.- Araria.
3. Prasad Mandal Son of Ratan Lal Mandal Resident of Village - Kodaili, P.S.- Palasi, Dist.- Araria.
4. Radhiya Devi @ Radha Devi W/o Ram Prasad Mandal Resident of Village - Kodaili, P.S.- Palasi, Dist.- Araria.
5. Nagesh Singh Son of Bulan Singh Resident of Village - Kodaili, P.S.- Palasi, Dist.- Araria.
6. Sabita Devi @ Sumita Devi W/o Nago Singh @ Nagendra Bahardar Resident of Village - Kodaili, P.S.- Palasi, Dist.- Araria.
7. Dilip Singh Son of Bulan Singh Resident of Village - Kodaili, P.S.- Palasi, Dist.- Araria.
8. Mantoo Singh @ Mantoo Kumar Son of Nagesh Singh Resident of Village - Kodaili, P.S.- Palasi, Dist.- Araria.
9. Kabul Singh Son of Sughan Singh Resident of Village - Kodaili, P.S.- Palasi, Dist.- Araria.
10. Yashwanti Devi W/o Bulan Singh Resident of Village - Kodaili, P.S.- Palasi, Dist.- Araria.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sabutari Devi W/o Bahadur Singh Resident of Village - Kodaili, Ward No.02, P.S.- Palasi, Dist.- Araria.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Rana
For the Opposite Party/s : Mr.Md. Matloob Rab

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2. 15-06-2020 Heard learned counsel for the parties through video conferencing.

The aforesaid ten petitioners seek bail in Complaint



Case No. 2201 of 2016 punishable for the offence under Sections 147, 148, 323, 341, 380, 448, 354B, 504/149 of the Indian Penal Code.

In the complaint petition, it has been alleged that on 07-10-2016 at about 10:00 AM, the complainant was doing work at her home, then all of a sudden, the above-named petitioners, armed with weapons, entered into her courtyard and started abusing her. It is further alleged that when complainant objected, petitioner no. 9 ordered to outrage her modesty and thereafter, all the accused, who are petitioners herein, started assaulting her and tried to outrage her modesty, but anyhow, she saved herself. It is also alleged that in the scuffle, the middle finger of complainant was cut and petitioners also took away some house-hold articles of complainant.

It is submitted on behalf of petitioner that petitioners are innocent and they have falsely been implicated in this case. It is further submitted that after elapse of eleven days, the present complaint has been filed. There is general and omnibus allegation against the petitioners and no specific overt act has been attributed. There is also no injury report. It is submitted that prior to present complaint, an F.I.R., vide Palasi P.S. Case No. 231 of 2015, has been filed by wife of petitioner no. 5



against the husband of complainant & other family members and in order to save their skin, the present false complaint has been filed. Petitioners have clean antecedent, as stated in paragraph – 3 of the petition.

Considering the aforesaid facts and circumstances, the bail application is allowed.

Accordingly, in the event of arrest or surrender within a period of six weeks from today, let the above-named petitioners be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-5th, Araria in connection with Complaint Case No. 2201 of 2016, subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Prabhat Kumar Singh, J.)

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