

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39386 of 2020

Arising Out of PS. Case No.-69 Year-2020 Thana- KURSAKANTA District- Araria

1. Amba Kumari Alias Amba Devi, D/O Rajendra Mandal Resident Of Village - Navtoli (RAHATMINA), Ward No 13, P.S. - Kursakanta, District - Araria
2. Chhepi Devi, Wife Of Rajendra Mandal Resident Of Village - Navtoli (RAHATMINA), Ward No 13, P.S. - Kursakanta, District - Araria
3. Prahlad Mandal, Son Of Rajendra Mandal Resident Of Village - Navtoli (RAHATMINA), Ward No 13, P.S. - Kursakanta, District - Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mrigendra Kumar- Advocate
For the Opposite Party/s : Mr. Jharkhandi Upadhyay- A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 22-10-2021 Heard Mr. Mrigendra Kumar, learned Advocate for the petitioners and Mr. Jharkhandi Upadhyay, learned APP for the State.

The petitioners seek bail in anticipation of their arrest in connection with Kursakanta P. S. Case No.69 of 2020, instituted for the offences under Sections 341, 323, 325, 354(B), 448, 379, 504/ 34 of the Indian Penal Code.

The learned counsel for the petitioners submits that the petitioners are persons of clean antecedent and from perusal of the allegation as alleged in the F.I.R., it would manifest that the informant Kiran Devi has alleged that on 29.04.2020 at



about 3.00 p.m., daughter in-law of Rajendra Mandal visited her house. Further that the informant is also the cousin mother in-law of the daughter in-law of Rajendra Mandal. Further that while they were talking, the daughter of Rajendra Mandal came and started abusing the informant alleging that why you called my sister in-law (bhabhi) and abused her against us. Thereafter Cheppi Devi wife of Rajendra Mandal and Prahlad Mandal, son of Rajendra Mandal also came and started assaulting the informant with fists, when she was carrying an eight months pregnancy. Further that Prahlad Mandal tried to outrage her modesty. On account of assault, she became unconscious and was treated at the local Primary Health Centre where she regained conscious.

Learned counsel for the petitioners further submits that the informant and the petitioners are relatives and on account of trivial issue some hot words were exchanged. As far as allegation of outraging the modesty of the informant is concerned, the same is ornamental in nature. The real dispute was with regard to the fact that the petitioners were annoyed by the conduct of the informant to abuse the daughter in-law of Rajendra Mandal against her family members.

The learned A.P.P. opposes the bail application.



Considering the facts and circumstances of the case, the petitioners, above-named, in the event of their arrest or surrender before the learned Court below within a period of ten weeks, are directed to be released on bail on their furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-III, Araria in connection with Kursakanta P. S. Case No.69 of 2020, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

(Satyavrat Verma, J)

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