

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52048 of 2021

Arising Out of PS. Case No.-229 Year-2021 Thana- BAIKUNTHPUR District- Gopalganj

1. KAILASHI DEVI @ KAILASHO DEVI Wife of Shiv Nath Rai R/o Village - Sirsa, P.S. - Baikunthpur, District - Gopalganj
2. Kalawati Kunwar Wife of Yogendar Rai R/o Village - Sirsa, P.S. - Baikunthpur, District - Gopalganj
3. Ramayan Rai Son of Fagu Rai R/o Village - Sirsa, P.S. - Baikunthpur, District - Gopalganj
4. Shiv Pujan Rai Son of Fagu Rai R/o Village - Sirsa, P.S. - Baikunthpur, District - Gopalganj
5. Shiv Nath Rai Son of Fagu Rai R/o Village - Sirsa, P.S. - Baikunthpur, District - Gopalganj
6. Ajay Rai Son of Ramayan Rai R/o Village - Sirsa, P.S. - Baikunthpur, District - Gopalganj
7. Rejesh Rai Son of Shiv Pujan Rai R/o Village - Sirsa, P.S. - Baikunthpur, District - Gopalganj
8. Ashok Rai Son of Shiv Nath Rai R/o Village - Sirsa, P.S. - Baikunthpur, District - Gopalganj
9. Seema Devi Wife of Dharmendar Rai R/o Village - Sirsa, P.S. - Baikunthpur, District - Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Mohit Shriwastava
For the Opposite Party/s	:	Mr.Nand Kishore Prasad, APP
For the Informant	:	Mr. Gajendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 29-11-2021 Learned counsel for the petitioner seeks permission of the Court to withdraw this application in respect of petitioner no. 6 as he has been taken into judicial custody.

Permission is accorded.

The application is dismissed as withdrawn in respect



of petitioner no. 6.

Heard learned counsel for the petitioner nos. 1 to 5 and 7 to 9, learned APP for the State and learned counsel for the informant.

Learned counsel for the petitioner nos. 1 to 5 and 7 to 9 is directed to remove the defects, as pointed out by the Office, within a period of eight weeks.

The petitioner nos. 1 to 5 and 7 to 9 are apprehending their arrest in a case registered under Sections 341, 323, 379, 324,, 447, 448, 504, 354, 307 and 34 of the Indian Penal Code.

The prosecution allegation, in short, is that the accused persons were ploughing the field of the informant and when the informant objected, the accused assaulted him and also his family members due to which they sustained injuries. Accused persons also tried to outrage the modesty of the family member of the informant.

It has been submitted on behalf of the petitioner nos. 1 to 5 and 7 to 9 that they have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against petitioner nos. 1 to 5 and 7 to 9. The petitioner nos. 1 to 5 and 7 to 9 have falsely been implicated in the present case. General and omnibus allegation has been made against petitioner nos. 1



to 5 and 7 to 9. No specific overt act is alleged against petitioner nos. 1 to 5 and 7 to 9. Petitioner nos. 1, 2 and 9 are ladies.

On behalf of the State, it is submitted that the petitioner nos. 1 to 5 and 7 to 9 are named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner nos. 1 to 5 and 7 to 9, above named, in the event of arrest/surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of Judicial Magistrate, 1st Class, Gopalganj in connection with Baikunthpur P.S. Case No. 229 of 2021, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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