

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3811 of 2021

Arising Out of PS. Case No.-21 Year-2020 Thana- MAHILA P.S District- West Champaran

1. GEETA DEVI, wife of Murari Chaudhary Resident of Village- Bharpatiya, P.S.- Shree Nagar, Distt.- West Champaran.
2. SUNAR DEVI W/o Dhuran Chaudhary Resident of Village- Bharpatiya, P.S.- Shree Nagar, Distt.- West Champaran.
3. SUDAMA DEVI W/o Hari Chandra Chaudhary @ Harichandra Chaudhary Resident of Village- Bharpatiya, P.S.- Shree Nagar, Distt.- West Champaran.
4. SUGI KUMARI D/o Jagendra Chaudhary Resident of Village- Bharpatiya, P.S.- Shree Nagar, Distt.- West Champaran.
5. MURARI CHAUDHARY Son of Motilal Chaudhary Resident of Village- Bharpatiya, P.S.- Shree Nagar, Distt.- West Champaran.
6. BIRENDRA CHAUDHARY @ VIRENDRA CHAUDHARY Son of Jokhan Chaudhary Resident of Village- Bharpatiya, P.S.- Shree Nagar, Distt.- West Champaran.
7. HARI CHANDRA CHAUDHARY @ HARICHANDAR CHAUDHARY Son of Parichhan Chaudhary Resident of Village- Bharpatiya, P.S.- Shree Nagar, Distt.- West Champaran.
8. PYARELAL CHAUDHARY Son of Kishun Chaudhary Resident of Village- Bharpatiya, P.S.- Shree Nagar, Distt.- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey
For the Opposite Party/s : Mr.APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 04-08-2021 Heard Mr. Bimlesh Kumar Pandey, learned

advocate for the petitioners and Mr. Shailendra Kumar,

learned APP for the State.

The petitioners seek bail in anticipation of their

arrest in connection with Mahila P. S. Case No. 21 of



2020, dated 15.08.2020, instituted for the offences under Sections 341, 342, 323, 307, 354, 354(B) (C) (D), 498A, 295A and 509/34 of the Indian Penal Code.

The accusation against the petitioners is of having assaulted the informant and also of tying her to a pole as a punishment for committing adultery.

It appears from the F.I.R. that the informant is the wife of one Ramayan Chaudhary with whom she was married about 10 years ago. Four children are also born out of the wedlock. However, the husband of the informant always suspected infidelity and used to assault her. On one occasion when the parents of the informant had come to intercede with her husband, the informant was dragged out of her house and an attempt was made to tonsure her.

The learned advocate for the petitioners has submitted that though they are in some way related to the husband of the informant but the relationship is very distant. The petitioners are the residents of the same



village and only for the reason that they had gathered at the house of the informant at the time when a discussion was taking place between the parents of the informant and her husband and his family, that they have also been made accused in this case.

It appears that there is some suspicion in the mind of the husband of the informant regarding her infidelity.

There is yet another explanation which has been noted in the bail petition. The informant was found in an objectionable position with another male member of the family.

The petitioners have got no say or concern with the family of the husband of the informant.

For the reasons afore-stated, the petitioners, above-named, are directed to be released on bail, in the event of their arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on their furnishing



bail bonds in the sum of Rs. 10,000 /- (Ten Thousand)
each with two sureties of the like amount each to the
satisfaction of the learned Chief Judicial Magistrate,
Bettiah, West Champaran, in connection with Mahila P.
S. Case No. 21 of 2020, subject to the conditions as
laid down under Section 438 (2) Cr.P.C.

The application stands allowed.

(Ashutosh Kumar, J)

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