

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4651 of 2022

Arising Out of PS. Case No.-279 Year-2020 Thana- PHULPARAS District- Madhubani

1. SHRAWAN RAY S/o Kusheshwar Ray Resident of Village- Khargama, P.S.- Phulparas, District- Madhubani.
2. Ram Snehi Ray Son of Shrawan Ray Resident of Village- Khargama, P.S.- Phulparas, District- Madhubani.
3. Chandar Ray @ Chandev Ray Son of Late Kaldhar Ray Resident of Village- Khargama, P.S.- Phulparas, District- Madhubani.
4. Lalan Ray @ Lalan Kumar Ray Son of Chandar Ray Resident of Village- Khargama, P.S.- Phulparas, District- Madhubani.
5. Gulab Ray @ Gulab Chandra Ray Son of Chandar Ray Resident of Village- Khargama, P.S.- Phulparas, District- Madhubani.
6. Shyamdeo Ray Son of Lalan Ray Resident of Village- Khargama, P.S.- Phulparas, District- Madhubani.
7. Gyan Kumar @ Gyandev Ray Son of Lalan Ray Resident of Village- Khargama, P.S.- Phulparas, District- Madhubani.
8. Manju Devi W/o Shrawan Ray Resident of Village- Khargama, P.S.- Phulparas, District- Madhubani.
9. Ekabari Devi W/o Suban Rai Resident of Village- Khargama, P.S.- Phulparas, District- Madhubani.
10. Kanchan Devi W/o Ram Snehi Ray Resident of Village- Khargama, P.S.- Phulparas, District- Madhubani.
11. Kusheshwar Ray Son of Siyalal Ray Resident of Village- Khargama, P.S.- Phulparas, District- Madhubani.
12. Mamta Devi W/o Gulab Ray Resident of Village- Khargama, P.S.- Phulparas, District- Madhubani.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Baleshwar Kamat, Advocate
For the Opposite Party/s : Mr.Anand Mohan Prasad Mehta, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 11-10-2022 Heard learned counsel for the petitioners and learned
A.P.P. for the State.



The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 447, 448, 341, 323, 325, 324, 307, 354, 379, 504 and 34 of the Indian Penal Code.

Learned counsel for the petitioners submits that the petitioners are persons with clean antecedent, petitioner nos. 8, 9, 10 and 12 are women and the informant alleges that on 12.06.2021 at about 7:00 am on account of previous dispute, petitioner no.1 came and started abusing her and when she protested, the other eleven named accused persons who were variously armed came to her door and thereafter it is alleged that informant was assaulted and chili powder was thrown in her eyes, it is next alleged that Shravan Rai (petitioner no.1) tried to outrage her modesty and when she raised alarm, one Makun Rai came to save her but he was assaulted by *farsa* causing injury on head and chili powder was sprinkled in his eyes. It is next alleged that petitioner no.5 assaulted Arun and Bholat Rai with an iron rod causing fracture of hand, Lalan Rai assaulted Varun Rai with *lathi* causing injury on shoulder and hand, Ekabari Devi sprinkled chili powder in the eyes of the informant and dashed her on the ground and looted the articles, it is further alleged that there was a delay in instituting the FIR as the



informant was seriously injured.

Learned counsel for the petitioners submits that petitioners have been falsely implicated in the present case, it is next submitted that the injuries suffered from the side of the informant are simple in nature and there is a delay of two days in instituting the FIR. Learned counsel submits that had the injuries been serious then definitely the informant or any of the injured would have been admitted in the hospital where their *fardbeyan* could have been recorded but from perusal of the FIR it manifests that the informant has given a written application to the S.H.O. of the concerned P.S. which amply demonstrates that she never went to any hospital for treatment. Learned counsel at the cost of repetition submits that the injuries are simple in nature.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like



amount each to the satisfaction of the learned court below where
the case is pending/successor court in connection with Phulparas
P.S. Case No. 279 of 2020 (G.R. No. 1035 of 2020) subject to
the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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