

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5961 of 2022

Arising Out of PS. Case No.-567 Year-2021 Thana- AMARPUR District- Banka

1. Pritam Kumar Mishra S/O Rabindra Mishra @ Pappu Mishra Resident Of Village- Hemrajpur (Kamdevpur), P.S.- Amarpur, District- Banka.
2. Rabindra Mishra @ Pappu Mishra S/o Late Shankar Mishra Resident of Village- Hemrajpur (Kamdevpur), P.S.- Amarpur, District- Banka.
3. Jiwan Kumar Mishra @ Jiwan Mishra S/o Late Shankar Mishra Resident of Village- Hemrajpur (Kamdevpur), P.S.- Amarpur, District- Banka.
4. Dular Kumar Mishra @ Dular Mishra S/o Late Shankar Mishra Resident of Village- Hemrajpur (Kamdevpur), P.S.- Amarpur, District- Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Harun Quareshi

For the Opposite Party/s : Mr.Binod Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 04-08-2022 Heard learned counsel for the petitioners and

learned APP for the State.

The petitioners are apprehending their arrest in

a case registered for the offences punishable under

Sections 341, 323, 354(B), 506/34 of the Indian Penal

Code.

The prosecution case as per F.I.R is that on

16.11.2021, the informant Nutan Devi was returning

home from BLO office, then in her way, the petitioner



No. 1 obstructed and thrashed her to the ground and tried to outrage her modesty but anyhow, the informant could save herself. It is further alleged that when the informant went to the house of petitioner No. 1 with a complaint of misdeed, all the accused petitioners told her characterless. It is also alleged that on 17.11.2021, when the informant was at her house, all the F.I.R named accused persons including the petitioners entered into her house and abused her and threatened of commission of rape.

It is submitted by learned counsel for the petitioners that petitioners and informant are agnates and in the background of some land dispute, the present F.I.R has been registered. It is further submitted that petitioner No. 1 is aged about 23 years whereas the informant is aged about 50 years. Hence, the allegation of outraging the modesty of the informant appears to be superficial. A statement has been made in para 3 of the petition that petitioners have no criminal antecedent.



In the facts and circumstance of the case, let the petitioners, above named, in the event of their arrest or surrender before the Court below within a period of four weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/-(Ten Thousands) each with two sureties of the like amount each to the satisfaction of learned Sessions Judge, Banka in connection with Amarpur P.S. Case No. 567 of 2021, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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