

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17629 of 2021

Arising Out of PS. Case No.-267 Year-2020 Thana- KHAIRA District- Saran

1. URMILA DEVI, W/o Surendra Mahto Resident of Village - Dumri, P.S.- Khaira, Distt.- Saran at Chapra.
2. Priyanka Kumari D/o Surendra Mahto Resident of Village - Dumri, P.S.- Khaira, Distt.- Saran at Chapra.
3. Ajay Mahto @ Ajay Kumar Mahto Son of Surendra Mahto Resident of Village - Dumri, P.S.- Khaira, Distt.- Saran at Chapra.
4. Vikash Kumar @ Monu @ Munu Son of Surendra Mahto Resident of Village - Dumri, P.S.- Khaira, Distt.- Saran at Chapra.
5. Bijesh Kumar @ Brajesh Kumar @ Brijesh Kumar Son of Surendra Mahto Resident of Village - Nagra Rauja (Kadipur), P.S.- Khaira, Distt.- Saran at Chapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Satya Prakash
For the Opposite Party/s : Mr. Uma Shankar Prasad Singh

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 11-01-2022 Mr. Radha Mohan Singh, learned Advocate has informed this Court that he has been instructed from the office of late Satya Praksah to argue this case. Mr. Singh has further informed this Court that he has received *Vakalatnama* of the petitioners but because of the paucity of time, the same could not be filed in the Registry.

The petitioners seek bail in anticipation of their



arrest in connection with Khaira P. S. Case No. 267 of 2020, dated 10.09.2020, instituted for the offences under Sections 341, 323, 354, 354(B), 379 and 34 of the Indian Penal Code.

The informant has alleged that one Sonu Kumar and petitioner no. 5 waylaid her and her sister and misbehaved with them.

There was a background of some criminal case pending between the parties.

When the matter was complained to the family members of Sonu Kumar, instead of reprimanding Sonu, they misbehaved with the parents and all those persons who had come to intercede on their behalf.

The learned Counsel for the petitioners has submitted that the background of enmity is apparent from the averments made in the FIR. It has also been submitted that the accusation of indulging in indecent behaviour is attributed to Sonu Kumar and petitioner no. 5, who is the cousin of aforesaid Sonu Kumar. Sonu



Kumar is not the petitioner before this Court. So far as petitioners no 1 to 4 are concerned, they are said to have misbehaved with the family members of the informant when they had come to make a complaint.

Considering the aforesaid background and the nature of accusation against petitioners no. 1 to 4, they, in the event of their arrest or surrender before the court below within a period of six 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 Ruby Kumari, J.M., 1st Class, Saran at Chapra, in connection with Khaira P. S. Case No. 267 of 2020, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

Since the petitioner no. 5 is said to have misbehaved with the informant and her sister along with Sonu kumar, his prayer for anticipatory bail is rejected.

Should he surrender before the court below and



seek bail, that shall be considered on its own merits,
without being prejudiced by the fact that the present
petition on his behalf has not been entertained by this
Court.

The application stands disposed off.

(Ashutosh Kumar, J)

skm/-

U		T	
---	--	---	--

