

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35098 of 2021

Arising Out of PS. Case No.-532 Year-2020 Thana- SASARAM NAGAR District- Rohtas

1. LAW BIND S/O UMESH BIND R/O VILLAGE SHEOPUR, P.S-DARIGAON, DISTRICT-ROHTAS.
2. SANTOSH BIND S/O KANHAIYA BIND R/O VILLAGE SHEOPUR, P.S-DARIGAON, DISTRICT-ROHTAS.
3. UMESH BIND S/O SHEO BIND R/O VILLAGE SHEOPUR, P.S-DARIGAON, DISTRICT-ROHTAS.
4. KUSH BIND S/O UMESH BIND R/O VILLAGE SHEOPUR, P.S-DARIGAON, DISTRICT-ROHTAS.
5. KUBER BIND S/O LATE SHEO BIND R/O VILLAGE SHEOPUR, P.S-DARIGAON, DISTRICT-ROHTAS.
6. RAM BABU BIND S/O KANHAIYA BIND R/O VILLAGE SHEOPUR, P.S-DARIGAON, DISTRICT-ROHTAS.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sada Nand Roy, Advocate
For the Opposite Party/s : Mr. Bharat Lal, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 13-06-2022 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 147, 148, 149, 354(A), 354(B), 325, 379, 341, 323 and 307 of the Indian Penal Code.

Learned counsel for the petitioners, at the outset after making some arguments, seeks permission to withdraw the



anticipatory bail application with regard to petitioner no.4 (Kush Bind).

Permission is accorded.

Learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and the informant alleges that on 19.08.2020, while she was going towards the road for attending the call of nature when Kanhaiya Bind and Nageshwar Bind came and caught her hand and tried to take her in a bush with bad intention, on alarm they tore her blouse due to which she became naked, it is next alleged that Kanhaiya Bind gave butt blow on her uterus due to which she was injured and Nageshwar Bind snatched her golden chain worth Rs. 15,000/- and fled away. It is next alleged that the informant narrated the entire occurrence to her family members on which her family members went to the house of the aforesaid accused persons when it is alleged that the accused persons along with petitioners assaulted the informant and his relatives.

Learned counsel for the petitioners submits that from bare perusal of the injury report of the injured it would manifest that the injuries are simple in nature as would be evident from Annexure-3 series to the anticipatory bail application. It is next submitted that there is no allegation against the petitioners with



respect to Section 354(B) of the I.P.C. and *prima-facie* no offence under Section 307 of the I.P.C. is made out in the nature of injury sustained by the injured. It is further submitted that the allegation of snatching the chain is also against Nageshwar Bind who is not the petitioner in the present anticipatory bail application.

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, let the petitioner nos. 1, 2, 3, 5 and 6 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 Sasaram (Darigaon) P.S. Case No. 532 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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