

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38258 of 2022

Arising Out of PS. Case No.-613 Year-2021 Thana- NAUBATPUR District- Patna

1. Sudhir Kumar @ Fuddul Kumar Son Of Devendra Singh R/O Village-Chainpura, P.S.- Naubatpur, Distt.- Patna
2. Chittu Kumar Son Of Sanjay Singh R/O Village- Chainpura, P.S.- Naubatpur, Distt.- Patna
3. Golu Kumar Son Of Sanjay Singh R/O Village- Chainpura, P.S.- Naubatpur, Distt.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Amarjeet, Advocate
For the Informant	:	Mr. Jai Prakash Verma, Advocate
For the State	:	Mr. Pramod Kr. Pandey, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 22-11-2022 Heard learned counsel for the petitioners, informant and the State.

Petitioners apprehend arrest in a case registered for the offence punishable under Sections 354(B), 506 and other allied sections of Indian Penal Code.

As per FIR, 10 named accused persons including this petitioner and 10-12 unknown persons came to the house of the informant armed with weapons and threatened to kill her if she does not withdraw the criminal case lodged against them. On protest by the informant these petitioners and other persons assaulted her badly. It is further alleged that petitioner Nos. 2 and 3 tore her clothes and outraged her modesty.



Learned counsel appearing for the petitioners submits that petitioners are innocent and have falsely been implicated in this case. It is submitted that due to land dispute a simple altercation took place between the parties which has been given the colour of this occurrence and allegation of outraging the modesty of informant has been added only with a view to make the offence grave. As a matter of fact, on 08.11.2021 husband and brother-in-law of the informant came to the house of one of the Gotiya of the petitioners and assaulted him as he used to object to the illegal liquor trade being carried out by the informant's family members for which, Naubatpur P. S. Case No. 583 of 2021 was lodged on 08.11.2021 against the husband and brother-in-law of the informant.

However, learned counsel for the informant vehemently opposes the prayer for bail application submitting that there is specific allegation against petitioner Nos. 2 and 3 of attempting to outrage the modesty of the informant.

Considering the nature of accusation and backdrop in which occurrence took place, let the above named petitioners in the event of their arrest/surrender before the court below within a period of thirty days from the date of receipt/production of copy of this order, be enlarged on bail on furnishing bail-bond



of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate-III, Danapur in Naubatpur P. S. Case No. 613 of 2021, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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