

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39227 of 2022

Arising Out of PS. Case No.-69 Year-2020 Thana- KAMTAUL District- Darbhanga

1. Kewal Rai S/o Late Yogendra Rai Resident of Village- Ahiyari Got, P.S.- Kamtaul, District- Darbhanga.
2. Satyanarain Rai @ Satyanaray Rai S/o Late Yogendra Rai Resident of Village- Ahiyari Got, P.S.- Kamtaul, District- Darbhanga.
3. Pappu Rai S/o Satyanarain Rai @ Satyanaray Rai Resident of Village- Ahiyari Got, P.S.- Kamtaul, District- Darbhanga.
4. Babloo Rai S/o Satyanarain Rai @ Satyanaray Rai Resident of Village- Ahiyari Got, P.S.- Kamtaul, District- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vinay Kumar Mishra

For the Opposite Party/s : Mr. Tapeswar Sharma

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 17-11-2022 Heard both sides.

The petitioners apprehend their arrest in connection with Kamtaul P.S. Case No.69 of 2020, registered for the offences punishable under Sections 147, 149, 341, 323, 324, 307, 354, 379, 504 and 506 of the Indian Penal Code.

The prosecution case, in brief, is that on 19.03.2020 the informant went to Darbhanga for some work. In his absence, the petitioners alongwith co-accused, Dhaniklal Rai entered into the house of the informant at 5.00 P.M. When the mother of the informant objected, the accused persons assaulted her by means



of knife on her head. When the wife and the *bhabhi* of the informant came to save his mother, the accused persons tried to outrage their modesty and assaulted them also. The accused persons also snatched ornaments made of gold from possession of wife and *bhabhi* of the informant. It is also alleged that the accused persons broke a suitcase kept in the house and took Rs.40,700/-.

Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in the present case. It is submitted that the petitioners have got no criminal antecedent as stated in paragraph-3 of the bail application. It is further submitted that there is case and counter case between the parties. It is submitted that the doctor who attended the injured persons has found abrasion on the person of Poonam Devi, whereas no external injuries were found on other injured so examined.

Learned APP for the State opposed the prayer for anticipatory bail of the petitioners.

Taking into consideration the facts that there is case and counter case between the parties and no external injury was found, let 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 enlarged on bail on furnishing bail bonds of Rs.25,000/- (rupees twenty five thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Darbhanga in connection with Kamtaul P.S. Case No.69 of 2020, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure.

(Anjani Kumar Sharan, J)

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