

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.49224 of 2022**

Arising Out of PS. Case No.-54 Year-2022 Thana- PHULWARIA District- Begusarai

1. Dilip Ray @ Dilip Rai S/O Late Ramswaroop Rai Resident of village-Phulwaria-03, ward No-02, P.S.- Phulwaria, District- Begusarai
2. SAKAL RAI S/O LATE RAMSWAROOP RAI Resident of village-Phulwaria-03, ward No-02, P.S.- Phulwaria, District- Begusarai
3. BABITA DEVI W/O AKLU RAI Resident of village- Phulwaria-03, ward No-02, P.S.- Phulwaria, District- Begusarai
4. JANKI DEVI W/O DILIP RAI Resident of village- Phulwaria-03, ward No-02, P.S.- Phulwaria, District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Sandip Kumar Gautam, Advocate

For the Opposite Party/s : Mr. Murli Dhar, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL ORDER**

2      13-12-2022      Heard learned counsel for the petitioners and learned  
Additional Public Prosecutor for the State.

Let the defects, as pointed out by the office, be removed within a period of four weeks from today.

The petitioners apprehend their arrest in a case registered for the offences punishable under Section 147, 341, 323, 307, 354(B), 379, 385, 506 of the Indian Penal Code.

Allegation as alleged in the F.I.R. is that all the F.I.R. named co-accused persons having iron rod, khanti, lathi, danda in their hands and attacked over the informant and her family



members and it has been alleged that Dilip Rai has snatched the ear ring and locket from the neck of the informant and Dilip Rai has also assaulted to the informant and her both the daughter-in-laws by way of lathi danda and rod. It has been further alleged that Aklu Rai has misbehaved with the daughter-in-law of the informant namely Rubi Devi and also tried to outrage her modesty and further snatched the nose pin from Rubi Devi.

Learned counsel for the petitioners submits that petitioner no.3 and 4 have clean antecedent and petitioner no.1 has three criminal antecedents and petitioner no.2 has two criminal antecedents other than the present one. He further submits that petitioners are innocent and they have falsely been implicated in the present case. He further submits that there is general and omnibus allegation against all the accused persons including these petitioners and there is specific allegation of assault to the informant and her two daughter in-laws has been alleged against Dilip Rai. He further submits that the injury reports of the informant namely Jagtaran Devi and Rubi Devi suggest that the injuries are simple in nature which is caused by hard and blunt substance.

The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioners on the



ground that petitioner no.1 has three criminal antecedents and petitioner no.2 carries two criminal antecedents other than the present one.

Considering the aforesaid facts and circumstances, let the petitioners, above named, in the event of their arrest or surrender within a period of four weeks, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending in connection with Phulwaria P.S. Case No. 54 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. and also the following conditions:-

1. Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

2. If the petitioners tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.



3. And further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

**(Rajesh Kumar Verma, J)**

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