

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69119 of 2021

Arising Out of PS. Case No.-571 Year-2021 Thana- FATUA District- Patna

1. SITA DEVI W/o Lal Babu Paswan Resident of Govindpur, Old Bypass, P.S.- Fatuha, District- Patna.
2. Chandramani Devi W/o Dayanand Ram @ Dina Paswan @ Dayanand Paswan Resident of Govindpur, Old Bypass, P.S.- Fatuha, District- Patna.
3. Rajeev Ranjan @ Rajeev Kumar @ Kunal Kumar S/o Dayanand Ram @ Dina Paswan @ Dayanand Paswan Resident of Govindpur, Old Bypass, P.S.- Fatuha, District- Patna.
4. Guddi Kumari D/o Dina Paswan @ Dayanand Ram @ Dayanand Paswan Resident of Govindpur, Old Bypass, P.S.- Fatuha, District- Patna.
5. Khushboo Kumari D/o Lal Babu Paswan Resident of Govindpur, Old Bypass, P.S.- Fatuha, District- Patna.
6. Dina Paswan @ Dayanand Ram @ Dayanand Paswan S/o Late Devnandan Ram Resident of Govindpur, Old Bypass, P.S.- Fatuha, District- Patna.
7. Lal Babu Paswan S/o Dina Paswan @ Dayanand Paswan @ Dayanand Ram Resident of Govindpur, Old Bypass, P.S.- Fatuha, District- Patna.
8. Rahul Kumar @ Rahul Bajaj Son of Lal Babu Paswan Resident of Govindpur, Old Bypass, P.S.- Fatuha, District- Patna.
9. Gautam Kumar S/o Sri Bhagwan Paswan Resident of Govindpur, Old Bypass, P.S.- Fatuha, District- Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Mohan, Advocate
For the Opposite Party/s : Mr. Madhura Nand Jha, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 27-07-2022 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 341, 323, 325, 326(A), 307, 379, and 34 of the Indian Penal Code.



Learned counsel for the petitioners submits that the petitioner nos. 1, 4, 5 and 6 have antecedent of one case, petitioner nos. 2, 3 and 7 have antecedent of two cases and petitioner nos. 8 and 9 are persons with clean antecedent.

Learned counsel for the petitioners submits that the petitioners have been falsely implicated in the present case at the behest of informant Sunila Devi, it is next submitted that for the same occurrence Fatuha P.S. Case No. 516 of 2021 (Annexure-3) was instituted by the police in which the victim was Sunila Devi and petitioner nos. 1, 2, 3, 4, 5, 6 and 7 herein were accused in the said case. Learned counsel submits that thereafter by way of afterthought, Sunila Devi instituted the present FIR in which ten persons were made accused which included even those seven persons who were made accused in Fatuha P.S. Case No. 516 of 2021. The learned counsel further submits that petitioner no. 1, 2, 4 and 5 herein were arrested in Fatuha P.S. Case No. 516 of 2021 and thereafter they were released on bail and after their release, the present FIR came to be instituted by Sunila Devi. The learned counsel thus submit that for the same occurrence two F.I.Rs have been instituted, some of the petitioners have already been taken into custody and released on bail and thereafter again they are apprehending



arrest.

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, the 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 released on anticipatory bail on furnishing bail bonds of Rs. 5,000/- (Rupees Five 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 Fatuha P.S. Case No. 571 of 2021 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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