

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72088 of 2021**

Arising Out of PS. Case No.-183 Year-2021 Thana- KHUSRUPUR District- Patna

1. URMILA KUMARI @ URMILA DEVI W/o Ram Balak Prasad Resident of Village - Yusufpur, P.s.- Khushrupur, Distt.- Patna.
2. Nitish Kumar Son of Ram Balak Prasad Resident of Village - Yusufpur, P.s.- Khushrupur, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 784 of 2022

Arising Out of PS. Case No.-183 Year-2021 Thana- KHUSRUPUR District- Patna

RAM BALAK PRASAD Son of Ram Kishor Singh Resident of Village - Yusufpur, P.S. - Khushrupur, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 72088 of 2021)

For the Petitioner/s : Mr.Rajesh Kumar

For the Opposite Party/s : Mr.Kumar Veerendra Narayan

(In CRIMINAL MISCELLANEOUS No. 784 of 2022)

For the Petitioner/s : Mr.Rajesh Kumar

For the Opposite Party/s : Mr.Mukeshwar Dayal

**CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER**

3 09-06-2022 Heard the learned counsel for the petitioners and the learned APP for the State.

Learned counsel for the petitioners is permitted to remove the defect/(s), as pointed out by the office, if any, within a period of four weeks from today.



This is an application for grant of anticipatory bail in connection with Khushrupur P.S. Case No. 183 of 2021, registered for the offences punishable under Sections 147, 148, 341,323,379, 354,504, 506 of the Indian Penal Code and Section 27 of the Arms Act.

Allegation against the petitioners, as per prosecution case is that the petitioners and other co-accused persons armed with pistol entered into the house of the informant assaulted her with the butt of pistol and petitioner/accused Ram Balak Prasad tried to outrage her modesty, petitioner no. 2 committed mar-pit and snatched her golden ring.

Learned counsel for the petitioners submits that petitioner no. 1 is gotani and petitioner no. 2 is the nephew of the informant, whereas, petitioner in Cr. Misc. No. 784 of 2022, is the devar of the informant and due to some family dispute this case has been lodged. There is case and counter case between the parties and no injury found on any person. No case is made out under Section 354 and 379 of the IPC and Section 27 of the Arms Act is super addition.

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

Considering the aforesaid facts and circumstances,



nature of allegation and that there is case and counter case between the parties and both parties are close relatives, let the petitioners, abovenamed, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, is directed to be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st Class, Patna City, Patna in connection with Khusrupur P.S. Case No. 183 of 2021, subject to the conditions as laid down under Section 438(2) of Code of Criminal Procedure.

(Sunil Dutta Mishra, J)

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