

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2943 of 2022

Arising Out of PS. Case No.-171 Year-2021 Thana- BANMANKHI District- Purnia

1. KAMLESHWARI RISHI Son of Late Sukru Rishi Resident of Village - Harpatti, Ward No.6, P.S.- Banmankhi, Distt.- Purnea.
2. Radha Rishi Son of Kamleshwari Rishi Resident of Village - Harpatti, Ward No.6, P.S.- Banmankhi, Distt.- Purnea.
3. Rawan Rishi @ Raman Kumar Rishi Son of Kamleshwari Rishi Resident of Village - Harpatti, Ward No.6, P.S.- Banmankhi, Distt.- Purnea.
4. Ramdhanik Rishi @ Ramdhan Rishi Son of Late Nunu Lal Rishi Resident of Village - Harpatti, Ward No.6, P.S.- Banmankhi, Distt.- Purnea.
5. Baljit Rishi @ Bajjit Kumar @ Baljit Kumar Son of Ramdhanik Rishi @ Ramdhan Rishi Resident of Village - Harpatti, Ward No.6, P.S.- Banmankhi, Distt.- Purnea.
6. Iadan Rishi @ Lodhan Rishi Son of Late Bouki Rishi @ Maheshwar Rishi Resident of Village - Harpatti, Ward No.6, P.S.- Banmankhi, Distt.- Purnea.
7. Ranjit Rishi @ Ranjit Kumar Son of Late Bouku Rishi @ Mohan Rishideo Resident of Village - Harpatti, Ward No.6, P.S.- Banmankhi, Distt.- Purnea.
8. Kailash Rishi @ Kailash Kumar Rishi Son of Late Nunu Lal Rishi Resident of Village - Harpatti, Ward No.6, P.S.- Banmankhi, Distt.- Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Uday Chand Prasad, Advocate
For the Opposite Party/s : Mr. Sanjay Kumar Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 16-08-2022 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 147, 149, 341, 323, 457, 380, 354(B) and 504 of the Indian Penal Code.

Learned counsel for the petitioners submits that the



petitioners are persons with clean antecedent and the informant alleges that the accused persons, including the petitioners, entered the house of the informant and disconnected her electricity connection and assaulted her, thereafter alleges petitioner no. 1 disrobed her and when her son came to save, all the accused persons assaulted him, thereafter petitioner nos. 4, 2, 7 and 8 and Rawan Rishi brought her minor daughter out of the house and misbehaved with her and tore her cloth, further when her related came to rescue they were also assaulted and the accused looted Rs. 1,15,000/- which was kept in the house along with goats and other articles.

Learned counsel for the petitioners submits that petitioners have been falsely implicated in the present case, it is next submitted that allegation of abuse and assault is general and omnibus in nature i.e., no specific allegation has been alleged against any of the petitioners, it is next submitted that even the FIR does not even remotely suggest the motive for the occurrence which further belies the sanctity of the allegation as no occurrence takes place without any motive, it is next submitted that from the side of the petitioners Banmankhi P.S. Case No. 108 of 2021 was instituted against the informant and his son and as such the present case came to be instituted as a



counterblast.

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 trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Banmankhi P.S. Case No. 172 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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