

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29741 of 2023

Arising Out of PS. Case No.-663 Year-2022 Thana- BEGUSARAI TOWN District- Begusarai

1. Kamini Devi @ Kamni Devi @ Kajoma Devi Wife Of Rajendra Mandal Resident Of Village-Naya Nagar Kapasiya, Behind Alka Cinema Hall Ward No. 13, Ps-Town, Dist-Begusarai
2. Kiran Devi Wife Of Late Punam Choudhary @ Late Punam Chaudhary Resident Of Village-Bishnupur, Choudhary Mohalla, Ward No-42, Rajiv Nagar, Ps-Town Dist-Begusarai

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Sandip Kumar Gautam
For the Opposite Party/s	:	Mr. Anant Kumar 1
	:	Mr. Vinod Gautam

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

- 2 13-07-2023 1. Heard learned counsel for the petitioners and learned APP for the State assisted by learned counsel for the informant.
2. The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 323, 376, 504 and 506/34 of the Indian Penal Code pending in the learned court below.
3. As per the prosecution case, petitioners along with other co-accused persons took the informant and his two children at the house of their relative where co-accused Abhijeet Kumar forcibly established physical relation with her several times. It is further alleged that the informant was kept locked in a room by the accused persons including the petitioners.



4. Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. He further submits that petitioner no.1 happens to be sister-in-law of the informant, namely, Anita Devi. He submits that there is no specific overt act against the petitioners. He further submits that there is specific allegation against the co-accused Abhijeet Kumar. He submits that the date of occurrence is 11.06.2022 to 06.09.2022 but the case has been filed on 29.09.2022 i.e. after lapse of 23 days and there is no explanation of it which creates serious doubt about prosecution case. He further submits that petitioners have got no criminal antecedent as stated in para-3 of the bail application.

5. Learned APP for the State along with learned counsel for the informant opposes the prayer for bail.

6. Considering the aforesaid facts and circumstances and the fact that there is no specific overt act against the petitioners, let the petitioners, named above, in the event of their arrest/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.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount to the satisfaction of the learned Court below, where the case is



pending/Successor court, in connection with Town P.S. Case
No.663/2022, subject to the condition as laid down under
Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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