

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30538 of 2023

Arising Out of PS. Case No.-786 Year-2021 Thana- PATNA COMPLAINT CASE District-
Patna

1. Seema Devi, wife of Vishnudeo Mehta @ Babloo Mehta Resident Of Village Fatehjampur, Sabalpur, P.S. Nadi, District Patna
2. Vishnudeo Mehta @ Babloo Mehta, S/O Late Ram Ishwar Mehta Resident Of Village Fatehjampur, Sabalpur, P.S. Nadi, District Patna
3. Vijay Kumar @ Ajay Kumar @ Bittu S/O Vishnudeo Mehta @ Babloo Mehta Resident Of Village Fatehjampur, Sabalpur, P.S. Nadi, District Patna
4. Dhiraj Kumar @ Vijay Kumar @ Chitu, S/O Vishnudeo Mehta @ Babloo Mehta Resident Of Village Fatehjampur, Sabalpur, P.S. Nadi, District Patna
5. Munchun Mahto, S/O Late Krishna Deo Mahto @ Kishundeo Mahto Resident Of Village- Bahari Dawalpura, P.S. Bypass, District Patna

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Rekha Devi, wife of Goakh Mehta, Resident Of Village- Fatehjampur, Sabalpur, P.S. Nadi, District- Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rudra Deo
For the Opposite Party/s : Mr. Binod Kumar
Ms. Madhuri Kumari
Mr. Rammurti
Mr. Abneesh Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 10-08-2023 1. Heard learned counsel for the petitioners, learned
counsel for the complainant and learned APP for the State.

2. The petitioners seek bail in anticipation of their arrest in a case registered for the offences punishable under Sections 323, 427, 341, 380, 452, 354, 504, 509, 34 of the Indian Penal Code.

3. The learned counsel for the petitioners submits that



the petitioner nos.1 to 4 have antecedent of one case and petitioner no.5 is a person with clean antecedent and petitioner no.1 is a woman and the complainant alleges that accused persons came and Seema Devi dashed her on the ground. Thereafter, Ajay Kumar and Vijay Kumar tore her blouse and removed her sari. Thereafter, Seem Devi snatched her chain and the accused destroyed her household articles and even committed theft of articles and took away Rs.2 Lacs.

4. The learned counsel for the petitioners submits that petitioners have been falsely implicated in the present case. It is next submitted that petitioners and the complainant are related. It is further submitted that the complainant deliberately concealed the relationship of the petitioners with her in order to create an impression that criminals had entered her house and committed the occurrence. It is further submitted that petitioner no.1 is her own sister-in-law i.e. wife of the brother of the husband of the complainant. It is next submitted that family dispute has been given a criminal colour and even the allegation does not inspire confidence. It is next submitted that it appears that the complainant deliberately did not institute an F.I.R., so that the allegation as alleged are not investigated by the police promptly.



5. Learned A.P.P. along with the learned counsel for the complainant opposes the anticipatory bail application, but the learned counsel for the complainant is not in a position to rebut the submission of the learned counsel for the petitioners that complainant and the petitioners are related.

6. 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, are directed to be released on bail on their furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of Sri Ashutosh Abhimannu, the learned Judicial Magistrate, 1st Class, Patna City, Patna in connection with Complaint Case No.786 of 2021, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

(Satyavrat Verma, J)

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