

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33764 of 2023

Arising Out of PS. Case No.-10 Year-2023 Thana- PUWAKHALI District- Kishanganj

1. NANDANI KUMARI D/o Dilip Sharma Resident of village - L.R.P. Chowk, Powakhali, P.S. - Powakhali, Distt. - Kishanganj
2. Govind Sharma Son of Kishan Lal Sharma Resident of village - L.R.P. Chowk, Powakhali, P.S. - Powakhali, Distt. - Kishanganj
3. Durjo Sharma @ Duryo Sharma Son of Kishan Lal Sharma Resident of village - L.R.P. Chowk, Powakhali, P.S. - Powakhali, Distt. - Kishanganj
4. Shobha Devi Wife of Govind Sharma Resident of village - L.R.P. Chowk, Powakhali, P.S. - Powakhali, Distt. - Kishanganj
5. Ranjeet Sharma @ Ranjit Kumar Sharma Son of Panna Sharma Resident of village - Gambhirgarh, P.S. - Sukhani, Distt. - Kishanganj

... .. Petitioners.

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioners	:	Mr. Ram Prawesh Kumar, Advocate
For the Informant	:	Mr. Sunill Kumar, Advocate
		Mr. Pankaj Kumar, Advocate
For the State	:	Mr. Anant Kumar-1, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 08-09-2023 Heard learned counsel for the petitioners and learned A.P.P. for the State assisted by learned counsel for the informant.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 341, 323, 325, 354B, 379, 504 & 506/34 of the Indian Penal Code.

3. All the F.I.R. named persons including these petitioners are said to have assaulted and abused the informant and his family members. They also outraged the modesty of the



informant's mother and disrobed her.

4. It is submitted by learned counsel for the petitioners that no such occurrence as alleged ever took place. Petitioners have been falsely implicated in this case. As a matter of fact, informant loved with the daughter of accused Dilip Sharma and father of petitioner no.1 was not ready to marry with the informant, hence this false and frivolous case has been lodged against the petitioners and others only to make pressure. There is inordinate and abnormal delay of seven days in lodging the F.I.R. without assigning any plausible and convincing reason for the said delay, which creates serious doubt about the prosecution case. It is further submitted that similarly situated co-accused, Dilip Sharma and others have been enlarged on anticipatory bail by this Court vide order dated 14.07.2023 passed in Cr. Misc. No.30881 of 2023. Petitioners have no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP assisted by learned counsel for the informant opposed the prayer for bail but learned counsel for the informant fairly accepted that no specific overt act has been attributed against these petitioners.

6. Having regard to the facts and circumstances of the



case, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty 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 Pauwakhali P.S. Case No.10 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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