

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31165 of 2023

Arising Out of PS. Case No.-397 Year-2022 Thana- HARLAKHI District- Madhubani

1. Sirju Mandal S/O Ramadhar Mandal Resident of Village- Kamlapatti (Kamlawarpatti), P.S.- Harlakhi, Dist- Madhubani
2. Udgar Mandal s/o Ramkhelawan Mandal Resident of Village- Kamlapatti (Kamlawarpatti), P.S.- Harlakhi, Dist- Madhubani
3. Lakshman Mandal s/o Ramkhelawan Mandal Resident of Village- Kamlapatti (Kamlawarpatti), P.S.- Harlakhi, Dist- Madhubani
4. Ram Kumari Devi w/o Sirju Mandal Resident of Village- Kamlapatti (Kamlawarpatti), P.S.- Harlakhi, Dist- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bhavesh Kumar Sah

For the Opposite Party/s : Mr.Arun Kumar Singh

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 28-08-2023 Heard learned counsel for the petitioners and the State.

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

3. Prosecution case in brief is that on the alleged date and time of occurrence, a quarrel was going between Sujit Mandal and Sirju Mandal, where the daughter of informant who was pregnant was standing there and watching the quarrel, in the meantime, without any rhyme or reason all the FIR named



accused persons abused and assaulted her with fist and slaps and assaulted on her abdomen. When informant protested, the accused persons disrobed her and also assaulted her with fist and slaps.

4. It is submitted that both parties are close door neighbour. Petitioners have been falsely implicated due to mala fide intention. It is further submitted that the alleged occurrence took place on 16.11.2022, but the FIR was lodged on 09.12.2022, there is inordinate delay in lodging of the FIR for which there is no plausible explanation. In fact, due to petty dispute the scuffle took place between the parties and taking advantage of the situation, this false case has been lodged. Petitioners claim clean antecedents.

5. Considering the facts aforesaid, the petitioners above-named, in the event of their arrest/surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate Ist Class, Benipatti, Madhubani in connection with Harlaxhi P.S. Case No. 397 of 2022, subject to the conditions as laid down under



Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

vinita/-

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