

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33394 of 2023

Arising Out of PS. Case No.-1104 Year-2022 Thana- FORBESGANJ District- Araria

1. Ganesh Rishideo S/O Late Asharfi Rishideo Resident Of Village- Haripur Bela Dhatta, Ward No. 08, P.S.-Foabisganj, District- Araria
2. Prithwi Chand Rishideo S/O Late Asharfi Rishideo Resident Of Village- Haripur Bela Dhatta, Ward No. 08, P.S.-Foabisganj, District- Araria

... .. Petitioners

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Kundan Kumar Singh, Advocate
For the Opposite Party/s : Mr.Raj Kishor Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 21-07-2023 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners, in the present case, are seeking pre-arrest bail in connection with Forbesganj P.S. Case No. 1104 of 2022 registered for the offences punishable under Sections 341, 323, 354, 354B, 307, 379, 34 of the Indian Penal Code. They have no criminal antecedent as stated in paragraph '3' of the application.

3. As per the prosecution story, the informant has alleged that while her husband had gone to Punjab for livelihood and when she was pregnant, on 18.09.2022, when she had gone to dump the buffalo dung in the canal, all the accused persons abused her and caught her hair and started assaulting her with



legs and fists and made her naked. The informant further alleged that both her child died due to assault by the accused persons.

4. Learned counsel for the petitioners submits that petitioners have been falsely implicated in this case. Learned counsel submits that both the parties are close door neighbours and have quarreled on some trivial issues.

5. Learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioners.

6. Having regard to the facts and circumstances of the case wherein it is submitted that both the parties are close door neighbours and have quarreled on some trivial issues, the present F.I.R. has been lodged on 21.10.2022 in respect of the alleged occurrence which took place on 18.09.2022 and Annexure '2' is the complaint case pending in the court of learned C.J.M., Araria filed on behalf of the petitioners' side, considering the delay in lodging of the F.I.R. and the nature of the allegations, this Court directs that in case of their arrest/surrender within a period of four weeks from today, let the petitioners above-named be enlarged on bail on furnishing of bail bond of Rs. 25,000/- (twenty five thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Araria in connection with Forbesganj



P.S. Case No. 1104 of 2022, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

7. And further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajeev Ranjan Prasad, J)

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