

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37379 of 2023

Arising Out of PS. Case No.-512 Year-2022 Thana- RAJAON District- Banka

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1. BINOD CHOUDHARY SON OF HARIDAY NARAYAN CHOUDHARY
RESIDENT OF VILLAGE- MAHADA, PS- RAJOUN, DISTRICT-
BANKA
 2. SANOJ KUMAR SON OF BINOD CHOUDHARY RESIDENT OF
VILLAGE- MAHADA, PS- RAJOUN, DISTRICT- BANKA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Brij Nandad Prasad, Advocate
For the Opposite Party/s : Mr.Dilip Kumar No. 1, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

- 2 21-07-2023 1. Heard the learned counsel for the petitioners and
the learned A.P.P. for the State.
2. This is an application for grant of anticipatory bail
in connection with Rajoun PS case no. 512 of 2022, registered
for the offences punishable under Section 354(B) and other
allied sections of the Indian Penal Code.
3. The allegation is regarding the co-accused person
namely Awadhesh Kumar having entered inside the house of the
informant and having tried to outrage her modesty and when she
had raised objection, the other co-accused persons are alleged to
have arrived there and assaulted the informant.
4. The learned counsel for the petitioners submits that



the petitioners are innocent, they have been falsely implicated in the present case and they are having a clean antecedent. The learned counsel for the petitioners has further submitted that a general and omnibus allegation has been levelled against the petitioners and the petitioners have not been alleged to have engaged in any sort of specific overt act and moreover, there is no injury report on record of the case to suggest that the informant has sustained injuries.

5. *Per contra*, the learned APP for the State has vehemently opposed the prayer for bail.

6. Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the materials available on record as also considering the fact that the petitioners are having a clean antecedent, a general and omnibus allegation has been levelled against them and they have not been alleged to have engaged in any sort of specific overt act, I deem it fit and appropriate to admit the petitioners to the privilege of anticipatory bail.

7. Accordingly, the abovenamed petitioners, in the event of their arrest or 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 released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) each with two sureties of the like amount each to the satisfaction of learned court of Chief Judicial Magistrate, Banka in connection with Rajoun PS case no. 512 of 2022, subject to the conditions as laid down under Section 438(2) of Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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