

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45692 of 2023

Arising Out of PS. Case No.-82 Year-2022 Thana- TARARI District- Bhojpur

1. Moti Ram S/O Late Nagina Ram R/O Village- Jethwar Ps. Tarari, Dist. Bhojpur
2. Ravi Ranjan Kumar @ Munna Ram S/O Moti Ram R/O Village- Jethwar Ps. Tarari, Dist. Bhojpur
3. Rohit Ram S/O Moti Ram R/O Village- Jethwar Ps. Tarari, Dist. Bhojpur

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/S

Appearance :

For the Petitioner/s : Mr. Rajani Ranjan Pd. Singh, Adv.

For the Opposite Party/s : Mr. Umesh Lal Verma, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 04-08-2023 Heard learned Counsel for the petitioners and learned
APP for the State.

2. The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 323, 341, 307, 354 & 34 of the Indian Penal Code.

3. As per the prosecution, the F.I.R. has been lodged against 5 named accused persons who came in the day time on 23.04.2022 along with lathi and arms. The specific allegation is against accused, namely, Manish Ram who attacked on Dev Muni Ram. The allegation against all is that they tried to outrage the modesty of the informant.

4. Counsel for the petitioners submits that the

petitioners are innocent and have committed no offence. He submits that for the same date, place and time of occurrence, two F.I.Rs. were lodged. The first F.I.R. has been lodged on behalf of the petitioners' side which is Annexure-2, i.e., Tarari P.S. Case No. 81 of 2022 in which informant's side were made accused. Counsel submits that the second case in which the petitioners are seeking bail has been filed only with a view to save their skin from Tarari P.S. Case No. 82 of 2022 which was filed from the informant's side.

5. Counsel further submits that both the parties belongs to same village and they are well known to each other and due to political rivalry, resulted into filing of this case.

6. Counsel further submits that petitioners are accused in one case in which they are on bail. He submits that petitioners are law-abiding citizens and ready to fulfill all the conditions whatsoever shall be imposed upon them.

7. Counsel further submits that no offence under Section 307 of I.P.C. has made out, but with regard to Section 354 of the I.P.C., there is strong lacking of the ingredient.

8. Learned APP for the State opposes the prayer for bail.

9. In the facts and circumstances., let the above-

named petitioners be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 6 weeks from today, on furnishing bail bond of ₹30000/- (thirty thousand) each with two sureties of the like amount each to the satisfaction of the learned C.J.M., Bhojpur at Arra in connection with Tarari P.S. Case No.82 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dr. Anshuman, J.)

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