

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45662 of 2023

Arising Out of PS. Case No.-1093 Year-2022 Thana- BEGUSARAI COMPLAINT CASE
District- Begusarai

-
1. Vijay Kumar Poddar @ Vijay Poddar son of Shyam Sundar Poddar Village- Teliya Pokhar Begusarai Ps- town Dist- Begusarai
 2. Vinay Poddar son of Shyam Sundar Poddar Village- Teliya Pokhar Begusarai Ps- town Dist- Begusarai
 3. Shivam Kumar Poddar @ Shivam Poddar son of Vijay Kumar Poddar @ Vijay Poddar Village- Teliya Pokhar Begusarai Ps- town Dist- Begusarai
 4. Satyam Kumar Poddar @ Satyam Poddar son of Vijay Kumar Poddar @ vijay Poddar Village- Teliya Pokhar Begusarai Ps- town Dist- Begusarai

... .. Petitioner/s

Versus

1. The State of Bihar
2. Juli Kumari wife of Late Vikas Kumar Poddar R/o- Teliya Pokhar Begusarai, Ps- town Dist- Begusarai

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Santosh Kumar
For the Opposite Party/s : Mr. Nawal Kishore Prasad

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 3 16-10-2023 1. Heard learned Counsel for the petitioners and learned Additional Public Prosecutor for the State as well as learned counsel for the informant.
2. This application, for grant of anticipatory bail, arises out of Complaint Case No. 1093 of 2022, dated 20.06.2022, disclosing offences under Sections 354B/341/342/504/34 of the Indian Penal Code.
3. The prosecution case, on the basis of First Information Report, is that the allegations made in the complaint,



bearing Complaint Case No. 1093 of 2022, at about 08:00 PM, while the complainant was in her room, the petitioners arrived at her house. The petitioner nos. 1 and 2 entered into the room of the complainant and the petitioner nos. 3 and 4 shut the door from outside. It has been alleged that the petitioner nos. 1 and 2 torn the cloths of the complainant and outraged her modesty.

4. Learned Counsel for the petitioners submits that the petitioners have falsely been implicated in the present case due to partition suit pending between the parties in Title Suit No. 93 of 2022. He next submits that the complainant-opposite party no. 2 is wife of younger brother of the petitioner nos. 1 and 2 and the petitioner nos. 3 and 4 are sons of the petitioner no. 1. He further submits that both the parties are closely related and the complainant had made similar allegations against the petitioners by filing written report before the Mahila Police Station, Begusarai, which was inquired by the concerned police officer and after inquiry, referred the matter before the learned Sub Divisional Magistrate, Begusarai for initiating Section 107 of the Code of Criminal Procedure.



5. Learned counsel for the informant opposes the prayer for bail and submits that the allegation made in the complaint fairly discloses the offences committed by the petitioners.
6. Having regard to the submissions made on behalf of the parties and taking into consideration the materials on record and the fact that both the parties are closely related and there is property dispute pending amongst them, I am inclined to grant the petitioners privilege of anticipatory bail.
7. This application is, accordingly, allowed.

Let the petitioners, above named, in the event of their arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Begusarai, in connection with Complaint Case No. 1093 of 2022, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

ashwani/-

U		T	
---	--	---	--

