

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47742 of 2023

Arising Out of PS. Case No.-277 Year-2022 Thana- LAURIA District- West Champaran

1. SANDEEP KUMAR GOND @ SANDEEP KUMAR @ SANDEEP SAH
SON OF TUPHANI GOND RESIDENT OF VILLAGE- KHAP TOLA,
WEST CHAMPARAN, BHAWARA, BIHAR
 2. SANTOSH SAH @ SANTOSH GOND SON OF RAMDAYAL SAH @
RAMDAYAL SHAH RESIDENT OF VILLAGE- PS- LAURIYA
VILLAGE- WARD NO. 11, GAUNAHA, DISTT- WEST CHAMPARAN
- Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rishabh Mishra, Adv.

For the Opposite Party/s : Mr.Yogendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 12-09-2023 Heard learned counsel for the parties.

2. Petitioners apprehend their arrest in connection with
Lauriya P.S. Case No.277/2022, registered for the offence
punishable u/s 341, 323, 354(B), 376, 511, 380, 504, 506 of the
IPC and section 27 of the Arms Act.

3. As per the prosecution case, the petitioners entered into
the house of the informant and tried to outrage her modesty but
she raised alarm and saved herself. Thereafter, she went to the
door of petitioner no.1 to make complaint, upon which the other
co-accused abused and started assaulting her. They chased her
and entered into her house and took away valuable articles.

4. It is submitted by learned counsel for the petitioners that



petitioner are quite innocent and have committed no offence. They have been falsely implicated in this case due to ulterior motive. No such occurrence, in the manner as alleged, has ever taken place. It is submitted that earlier the petitioners have filed a case against the informant bearing Lauriya P.S. Case No.155 of 2022, thereafter, the present case has been filed against the petitioners. The other co-accused were granted anticipatory bail by the learned court below itself. Petitioners have no criminal antecedent and there is a compromise between the parties.

5. Learned APP for the State opposed the prayer for bail.

6. Having regard to the facts and circumstances of the case and considering the nature of allegation, I am not inclined to enlarge the petitioners on bail. The prayer for grant of anticipatory bail on their behalf is hereby rejected.

7. This application is accordingly dismissed.

8. However, petitioners are at liberty to surrender before the learned court below within a period of six weeks from today and seek regular bail and the learned Court below would pass order, preferably, on the same day, in accordance with law.

(Anjani Kumar Sharan, J)

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