

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47363 of 2023

Arising Out of PS. Case No.-212 Year-2023 Thana- TAJPUR District- Samastipur

1. Laliya Devi Wife of Santosh Paswan, Resident of Village - Khurd Maura, Ward No.1, P.S. - Tajpur, District - Samastipur
2. Nandani Kumari @ Nanadni Kumari @ Nandni Kumari Daughter Of Santosh Paswan @ Santash Paswan Resident Of Village - Khurd Maura, Ward No.1, P.S. - Tajpur, District - Samastipur
3. Vicky Kumar Son Of Santosh Paswan Resident Of Village - Khurd Maura, Ward No.1, P.S. - Tajpur, District - Samastipur

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Bhavesh Kumar, Advocate

For the Opposite Party/s : Mr. Rajendra Nath Jha, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 11-08-2023 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 Tajpur P.S. Case No. 212 of 2023 registered for the offences punishable under Sections 341, 323, 376, 511, 354(B), 504 of the Indian Penal Code. They have got no criminal antecedent.

3. As per the prosecution story, the informant alleges that petitioner no. 3, who is her devar, tried to commit rape upon her and when she told petitioner no. 1 (mother-in-law) and petitioner no. 2 (Nandani Kumari) about the incident, they brutally assaulted the informant.



4. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in this case. It is submitted that the informant filed a joint compromise petition

5. Learned APP 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 petitioner no. 1 is the mother-in-law, petitioner no. 2 is the nanad and petitioner no. 3 is the devar of the informant, there is no specific allegation against petitioner nos. 1 and 2 and further submission that the informant had filed a joint compromise petition, this Court directs that in case of their arrest or surrender within a period of four weeks from today, the petitioners above named be released on bail in connection with Tajpur P.S. Case No. 212 of 2023 arising out of Complaint Case No. 366 of 2023 on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-1st, Samastipur, 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.

8. This application stands allowed.

(Rajeev Ranjan Prasad, J)

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