

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53729 of 2023

Arising Out of PS. Case No.-243 Year-2023 Thana- SHAHPUR PATORI District- Samastipur

1. Mantu Ram, aged about 40 Yrs, Male, Son Of Late Ram Sundar Ram Resident Of Village-Ravi Das Tola Dhamoun, P.S.-Patory, District-Samastipur
2. Raj Kishore Ram, aged about 22 Yrs, Male, Son Of Mantu Ram Resident Of Village-Ravi Das Tola Dhamoun, P.S.-Patory, District-Samastipur
3. Nitish Kumar @ Nitesh Kumar, aged about 21 Yrs, Male, Son Of Ganga Prasad Ram Resident Of Village-Ravi Das Tola Dhamoun, P.S.-Patory, District-Samastipur
4. Mukesh Ram @ Mukesh Kumar, aged about 30 Yrs, Male, Ram Son Of Ganga Prasad Ram Resident Of Village-Ravi Das Tola Dhamoun, P.S.-Patory, District-Samastipur

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr. Jitendra Narain Sinha, Advocate
For the Opposite Party : Mr. Akhileshwar Dayal, A.P.P.

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 23-08-2023 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend arrest in connection with
Patory P.S. Case No. 243 of 2023 dated 06.04.2023, instituted
for the offence punishable under Sections 147, 148, 149, 341,
323, 325, 354 B, 376, 511, 380, 307, 452, 504, 506 120 B of the
Indian Penal Code.

3. The prosecution case, in brief, is that on 08.03.2023
at 12:00 about noon, the petitioners along with other co-accused



persons entered into the house of the informant and tried to commit rape upon daughter-in-law of the informant and pushed her on the wall causing injury. It is further alleged that they snatched gold chain and looted cash Rs. 4,000/- from the victim. It is further alleged that when the informant went to *Panch*, then the petitioners again came to informant's house with the intention of killing them and they assaulted informant's son that caused him grievous injury.

4. Learned counsel for the petitioners submits that the petitioners are innocent and they have been falsely implicated in this case. It is further submitted that petitioner no. 1 and 2 are related as father and son respectively and other two petitioners are nephew of petitioner no. 1, Mantu Ram. Allegation against the petitioners is attempt to rape which could not be believable. After sometimes, the good sense has been raised between the parties and they filed a compromise petition before the concerned Court and stated that they want to pursue the order. Lastly, it has been submitted that they have clean antecedents.

5. Learned A.P.P. has opposed the prayer for bail of the petitioners.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in



the event of arrest / surrender of the petitioners within a period of six weeks from today, in connection with Patory P.S. Case No. 243 of 2023, they shall be released on anticipatory bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Samastipur, subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Khatim Reza, J)

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