

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55923 of 2023

Arising Out of PS. Case No.-50 Year-2023 Thana- BHABHU(KAIMUR) COMPLAIN C
District- Kaimur (Bhabua)

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1. Dadan Bind, S/O Kumar Bind, Resident of Village- Goraipur, P.S.- Bhabhua, District- Kaimur
 2. Ankul Bind, D/O Dadan Bind, Resident of Village- Goraipur, P.S.- Bhabhua, District- Kaimur
 3. Pawan Bind, S/O Dadan Bind, Resident of Village- Goraipur, P.S.- Bhabhua, District- Kaimur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sheo Kumar Prasad, Advocate
For the Opposite Party/s : Mr. Jitendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

3 20-09-2023 Heard Mr. Sheo Kumar Prasad, learned counsel

appearing on behalf of the petitioners and the learned APP for

the State.

2. The petitioners are apprehending their arrest in
connection with Complaint Case No. 50 of 2023 registered for
the offences punishable under Sections 323, 354, 379, 504 of the
Indian Penal Code.

3. Allegedly while the daughter of the complainant
was sleeping in her house, in the meantime, all the accused
persons, including the petitioners, entered in her house and
started misbehaving indecently with the victim. It is further



alleged that the petitioners also looted ornaments and kitchen articles, however, when *hulla* was raised they succeeded in fleeing away.

4. Learned counsel appearing on behalf of the petitioners submits that from the averments made in the complaint petition, it is manifest that the occurrence took place on 06.01.2023, however, the present complaint case has been instituted on 18.01.2023 and no explanation for delay has been given. He next submits that the petitioners and the informant are next door neighbour and only on account of some trifle, the present complaint case has been instituted in order to wreak vengeance, apart from the petitioners are men of fair antecedent and they undertake that they will fully cooperate in the investigation or in the proceeding of the Court.

5. On the other hand, learned APP for the State opposes the bail application and submits that specific allegation of theft and misbehave with the daughter of the informant has been levelled.

6. Regard being had to the submissions made on behalf of the parties and considering the delay in institution of the complaint case and the fair antecedent of the petitioners, let the petitioners, named above, in the event of their arrest or



surrender before the court below within four weeks from the date of receipt/production of a copy of this order, be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Kaimur at Bhabhua in connection with Complaint Case No. 50 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C. with the further condition that one of the bailors shall be the own/close relative of the petitioners.

(Harish Kumar, J)

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