

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62690 of 2022

Arising Out of PS. Case No.-76 Year-2013 Thana- RAMGARHWA District- East Champaran

1. Reyajuddin @ Roj @ Bhagda @ Md. Reyajuddin Son Of Abdul Hasan Resident Of Village- Adhkapariya, P.S.- Ramgadhwa, District- East Champaran
2. Badre Alam Son Of Hasmuddin Resident Of Village- Adhkapariya, P.S.- Ramgadhwa, District- East Champaran

... .. Petitioner/s

Versus

State Of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey
For the Opposite Party/s : Mr.Ram Priya Sharan Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 16-02-2023 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners have filed the instant application for grant of regular bail in connection with Ramgadhwa P.S. Case No. 76 of 2013 registered under sections 147, 148, 149, 341, 323, 324, 307, 379, 376, 504, 354, 427, 448 and 506 of the Indian Penal Code and Section 27 of the Arms Act.

Allegation against the petitioners along with other co-accused persons is that they entered the house of the informant and started misbehaving, assaulting and also trying to outrage the modesty with her family members. It is further alleged that co-accused Shamse Alam committed rape with the informant,



when she tried to save other ladies of her house and also some accused persons started firing and threatening to life.

Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence. They have falsely been implicated in this present case due to land dispute. There is case and counter case between the parties and both parties have sustained injury as alleged in separate occurrence. It is further submitted that the general and omnibus allegation allegation has been levelled against these petitioners. The allegation of causing injury on the leg of the informant by means of spear attributed to Petitioner No.2 and the same is not corroborated with informant's injury report as she sustained some injuries which is caused by hard and blunt substances. The specific allegation of committing rape with the informant is against other co-accused, namely, Shamse Alam and the allegation of making firing is also attributed against other co-accused persons. The petitioners are languishing in judicial custody since 19.07.2022.

The application for bail is vehemently opposed by learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the



case, the Court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be enlarged on bail in connection with Ramgadhwa P.S. Case No. 76 of 2013 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) each of them with two sureties of the like amount each to the satisfaction of the learned SDJM, Raxaul at Motihari, East Champaran.

(Sunil Kumar Panwar, J)

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