

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68959 of 2023

Arising Out of PS. Case No.-510 Year-2023 Thana- MUFFASIL PURNIA District- Purnia

1. BECHAN RISHI SON OF LATE ETWARI RISHI RESIDENT OF VILLAGE -MAHARAJPUR VISHWARUPA GHAT, P.S.- MUFFASIL, DISTRICT- PURNEA
2. MR. JYOTISH RISHI SON OF LATE ETWARI RISHI RESIDENT OF VILLAGE -MAHARAJPUR VISHWARUPA GHAT, P.S.- MUFFASIL, DISTRICT- PURNEA
3. PREM KUMAR RISHI SON OF SHRI BECHAN RISHI RESIDENT OF VILLAGE -MAHARAJPUR VISHWARUPA GHAT, P.S.- MUFFASIL, DISTRICT- PURNEA
4. AKHILESH RISHI SON OF SRI BECHAN RISHI RESIDENT OF VILLAGE -MAHARAJPUR VISHWARUPA GHAT, P.S.- MUFFASIL, DISTRICT- PURNEA
5. DHARMVEER SINGH SON OF BECHAN RISHI RESIDENT OF VILLAGE -MAHARAJPUR VISHWARUPA GHAT, P.S.- MUFFASIL, DISTRICT- PURNEA
6. HASEBUR RAHMAN SON OF LATE SHEIKH ELAHI RESIDENT OF VILLAGE - ISLAMPUR MAHARAJPUR, PS- MUFFASIL, DIST- PURNEA

... .. Petitioner/s

Versus

1. The State of Bihar
2. CHANDINI KUMARI WIFE OF SHRI KISHORE SINGH RESIDENT OF VILLAGE -MAHARAJPUR TOLA, PS- MUFASSIL, RANIPATRA, DISTT- PURNEA

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Pravin Kumar
	:	Mr. Ajay Kumar Sinha
	:	Ms. Menu Kumari
	:	Mr. Dilkash Khan
For the Opposite Party/s :	:	Mr. Ram Anurag Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 01-11-2023 1. Heard learned Counsel for the petitioners and learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out of Sadar (Muffasil) Police Station Case No. 510 of



2023, disclosing offences under Sections 147, 149, 448, 341, 323, 316, 354(B), 504, 506 of the Indian Penal Code.

3. As per the First Information Report, on 01.06.2023, in the morning, all the accused persons arrived at the house of the informant abused her, threatened her husband on the point of pistol and petitioner No. 3, prem kumar rishi, assaulted the informant hard in her stomach and the other two accused persons, Akhilesh Rishi and Dharmveer Singh, outraged the modesty of the informant. The informant was admitted in the hospital on 01.06.2023 and the child was born who died on 02.06.2023 at 11:00 O'Clock.

4. Learned senior counsel for the petitioners submits that the petitioners have falsely been implicated in the present case due to previous enmity between the parties. It is next submitted that there is a delay in lodging of the F.I.R. inasmuch as according to the informant, she was assaulted on 01.06.2023 and her newly born child died on 02.06.2023 but the FIR has been lodged on 05.06.2023. He next submits that the informant was admitted in the hospital on 01.06.2023, as per her statement in the F.I.R. at 10:30 but no O.D. ticket was issued and the police was not called which is mandatory if person with assault is admitted in the hospital, accordingly, no fardbayen has been



recorded, by the police, of the informant in the hospital which gives rise to the veracity of the First Information Report. The present F.I.R. is a counter-blast to the F.I.R. lodged by the wife of the petitioner No. 1, bearing Sadar (Muffasil) P.S. Case No. 509 of 2023, dated 04.06.2023, against the members of the informant's community, friends and relatives and this informant has been set up for lodging of false FIR against the petitioners on the very next date i.e., 05.06.2023.

5. Having regard to the submissions made on behalf of the parties and taking into consideration the delay of four days in lodging of the First Information Report, the wife of the petitioner No. 1 has lodged the First Information Report on 04.06.2023 i.e., prior to the present F.I.R., I am inclined to grant the petitioner privilege of anticipatory bail.

6. This application is, accordingly, allowed.

7. Let the petitioner, Bechan Rishi, Mr. Jyotish Rishi, Prem Kumar Rishi, Akhilesh Rishi, Dharmveer Singh, Hasebur Rahman, in the event of their arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Purnea, in connection with Sadar



(Muffasil) Police Station Case No. 510 of 2023, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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