

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.1938 of 2023**

Arising Out of PS. Case No.-13 Year-2021 Thana- AKILPUR District- Saran

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1. SUNIL RAI SON OF SUBHASH RAI R/O PURANI PANNPUR, P.S.- AKILPUR, DISTRICT- SARAN
  2. BAILA RAI @ BEL KUMAR SON OF SUBHASH RAI R/O PURANI PANNPUR, P.S.- AKILPUR, DISTRICT- SARAN
  3. BHOLI RAI SON OF PALLU RAI R/O PURANI PANNPUR, P.S.- AKILPUR, DISTRICT- SARAN
  4. KARIMAN RAI SON OF LATE BRAHMDEV RAI R/O PURANI PANNPUR, P.S.- AKILPUR, DISTRICT- SARAN
  5. PALLU RAI SON OF LATE BRAHMDEV RAI R/O PURANI PANNPUR, P.S.- AKILPUR, DISTRICT- SARAN

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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**Appearance :**

|                          |   |                                             |
|--------------------------|---|---------------------------------------------|
| For the Petitioner/s     | : | Mr.Y.C.Verma, Sr.Adv.<br>Mrs.Priyanka Singh |
| For the Opposite Party/s | : | Mr.Uday Chand Prasad                        |

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH**  
**ORAL ORDER**

3      03-04-2023                      Heard learned counsel for the parties.

The petitioners apprehend their arrest in a case registered for the offence under Sections 143, 341, 448, 354B, 376, 511, 302, 506 of the Indian Penal Code.

The case of the prosecution, in brief, is that on 04.03.2021 at about 11 PM, while the informant alongwith her family members were sleeping, the petitioners and other F.I.R. named accused persons arrived there and started teasing her daughter-in-law. It is further alleged that co-accused Kunal Rai



tried to commit rape and when informant raised alarm, the villagers came whereupon the accused persons lifted the son of informant, took him to *Badhar* and thereafter, co-accused Kunal Rai and Kanbucha Rai pressed the neck of informant's son.

It is submitted on behalf of petitioners that F.I.R. does not indicate any overt act against these petitioners. It is specific case of the informant that co-accused Kunal Rai and Kanbucha Rai pressed the neck of informant's son. So far as petitioners are concerned, they are only alleged to have caught hands and legs of husband of the informant. It is further submitted that in fact, the son of informant was killed in a gang war and taking advantage of the same, the informant has lodged this false and concocted case. Petitioners have got clean antecedent.

Learned A.P.P. for the State has opposed the bail petition.

Considering the aforesaid facts and circumstances, let the above named petitioners, in the event of their arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned C.J.M., Saran at Chapra in connection with Akilpur P.S. Case No. 13 of 2021, subject to condition as



laid down under Section 438(2) of the Code of Criminal  
Procedure.

**(Prabhat Kumar Singh, J)**

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