

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18469 of 2024

Arising Out of PS. Case No.-68 Year-2023 Thana- MAHILA P.S BAGHA District- West Champaran

1. Mahendra Ram S/o Fagu Ram R/o Village - Semra Ghusukpur, P.S. - Laukariya, Dist. - West Champaran
2. Birendra Ram @ Birendra Kumar S/o Fagu Ram R/o Village - Semra Ghusukpur, P.S. - Laukariya, Dist. - West Champaran
3. Rajendra Ram @ Rajendra Kumar S/o Fagu Ram R/o Village - Semra Ghusukpur, P.S. - Laukariya, Dist. - West Champaran
4. Gautam Ram @ Kumar Gautam S/o Shyam Badan Ram R/o Village - Semra Ghusukpur, P.S. - Laukariya, Dist. - West Champaran
5. Dharmendra Ram S/o Fagu Ram R/o Village - Semra Ghusukpur, P.S. - Laukariya, Dist. - West Champaran
6. Jitendra Ram @ Jitendra Kumar S/o Fagu Ram R/o Village - Semra Ghusukpur, P.S. - Laukariya, Dist. - West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Perna Anand, Advocate

For the Opposite Party/s : Mr. Vinod Shanker Modi, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 15-04-2024 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend arrest in connection with Bagaha Mahila P.S. Case No. 68 of 2023 dated 23.11.2023 instituted for the offence punishable under Sections 341, 452, 294, 354, 323, 379, 504, 506/34 of the Indian Penal Code.

3. The prosecution case, in short, is that on the alleged date of occurrence, the petitioners entered the house of the



informant in the absence of the informant and they outraged the modesty of her daughters and also assaulted them. When the informant reached there, petitioner no. 1, namely, Mahendra Ram assaulted with lathi on her head. It is also alleged that they also assaulted her son and husband and took away Rs. 25,000/- in cash and ornaments from her house.

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 nos. 1, 2, 3, 5 & 6 are brother-in-law (sala) of the son of the informant and petitioner no. 4 is their cousin. There is a case and counter case between the parties. Counter case i.e. Laukariya P.S. Case No. 106 of 2023 has been lodged by Nitu Devi, who is the sister of the petitioner nos. 1, 2, 3, 5 & 6, against the informant and her family members. Learned counsel for the petitioners further submits that the date of occurrence is 17.11.2023 but the F.I.R. has been lodged on 23.11.2023 after five days delay without any plausible explanation. Learned counsel for the petitioners submits that there is specific allegation against the petitioner no. 1 for assaulting on the head of the informant, but no injury corresponding to allegation was found by the doctor as it appears from prescription which is part of F.I.R. Lastly, it has



been submitted that petitioners have no criminal antecedents.

5. Learned A.P.P. has opposed the prayer for anticipatory 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 Bagaha Mahila P.S. Case No. 68 of 2023, they will be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Bagaha, West Champaran subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Khatim Reza, J)

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