

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18542 of 2024

Arising Out of PS. Case No.-333 Year-2023 Thana- SINGHESHWAR District- Madhepura

1. Nunu Devi W/o Upendra Rajbhar R/o vill - Barhari, ward no. 08, P.S. - Singheshwar, Distt. - Madhepura
2. Upendra Rajbhar S/o Late Hari Mandal R/o vill - Barhari, ward no. 08, P.S. - Singheshwar, Distt. - Madhepura
3. Jai Kumar Rajbhar S/o Upendra Rajbhar R/o vill - Barhari, ward no. 08, P.S. - Singheshwar, Distt. - Madhepura
4. Sangit Rajbhar S/o Upendra Rajbhar R/o vill - Barhari, ward no. 08, P.S. - Singheshwar, Distt. - Madhepura
5. Sanjay Rajbhar S/o Late Janak Rajbhar R/o vill - Barhari, ward no. 08, P.S. - Singheshwar, Distt. - Madhepura
6. Mohan Rajbhar S/o Narayan Rajbhar R/o vill - Barhari, ward no. 08, P.S. - Singheshwar, Distt. - Madhepura
7. Suresh Rajbhar S/o Mohan Rajbhar R/o vill - Barhari, ward no. 08, P.S. - Singheshwar, Distt. - Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Uday Chand Prasad, Advocate
For the Opposite Party/s : Mr. Rajesh Kumar, 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 Singheshwar P.S. Case No. 333 of 2023 dated 14.11.2023, instituted for the offence punishable under Sections 147, 148, 149, 341, 323, 324, 307, 325, 379, 384, 504, 506, 354A of the Indian Penal Code.



3. As per the prosecution case, the informant was getting harvested the paddy crops in her own land, then the petitioners along with the co-accused persons arrived there being armed with iron rod, lathi, farsa etc. and stopped her from harvesting and on objection, the accused persons brutally assaulted her, and all the accused persons along with the petitioners entered into the house forcefully and again assaulted her due to which she became half naked. They also assaulted her husband and son with iron rod causing fracture injury on the head and hand of her husband and son respectively. They even took ornaments, crop and other household articles worth Rs. 8,00,000/- from her house. Further allegation is that the petitioners and co-accused persons also kidnapped son of her sister-in-law and also the daughter and went away threatening her to be killed.

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 petitioners and informant are agnates and there is a land dispute between the parties due to which the present false and concocted case has been lodged against the petitioners. It is further submitted that there is a case and counter case between the parties. Singheshwar P.S. Case



No. 332 of 2023 has been lodged by the petitioners' side against informant's side and to save their skin, the informant has lodged this present false case. It is next submitted that there is specific allegation of overtact against co-accused Udit Rajbhar and Ram Chandra Rajbhar, who assaulted informant's husband on his head and Sarita Devi and others have broken hand of informant's son by Khanti blow. It is further submitted that petitioner no. 5 and others assaulted the informant and push down her on the ground, but earlier allegation is that she was assaulted by Ram Chandra Rajbhar and others in the field, hence it is not clear as to who the assaulted the informant. It is further submitted that the present case has been lodged against 28 persons including the women. Lastly, it has been submitted that the petitioners have no criminal antecedents.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

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 petitioner within a period of six weeks from today, in connection with Singheshwar P.S. Case No. 333 of 2023, they shall be released on anticipatory 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 Chief Judicial Magistrate, Madhepura, subject to
condition as laid down under Section 438(2) of the Cr.P.C.

(Khatim Reza, J)

sankalp/-

U		T	
---	--	---	--

