

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28838 of 2024

Arising Out of PS. Case No.-533 Year-2023 Thana- BEGUSARAI MUFFASIL District-
Begusarai

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1. Ram Kumar Mahto, aged about 44 years, Male, son of Vaidyanath Mahto,
 2. Raja Ram Mahto @ Raja Ram Kumar @ Rajo Ram Kumar, aged about 30 years, Male, son of Ramdas Mahto, and
 3. Rajiv Kumar @ Pravin Kumar, aged about 25 years, Male, son of Ramdas Mahto,
All resident of village- Raichlahi, Police Station- Muffasil (Singhaul), Dist.- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Bipin Kumar, Advocate
For the State	:	Ms. Rina Sinha, APP
For the Informant	:	Mr. Saket Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

3 31-07-2024 Heard learned counsel for the petitioners; learned Additional Public Prosecutor for the State as well as learned counsel for the informant, who has appeared *suo motu*.

2. The petitioners apprehend arrest in connection with Muffasil PS Case No.533 of 2023 dated 14.09.2023, instituted under Sections 341, 323, 307, 354-A, 385, 504, 506/34 of the Indian Penal Code.

3. The allegation against the petitioners is that they along with other accused persons came armed with lathi, danda and iron rod and started abusing her and demanded rupees three lakh as *Rangdari* tax from the informant. They assaulted the



informant. On alarm, when her daughter came to save her then petitioner no.1, Ram Kumar Mahto, assaulted her by means of rod and petitioner nos. 2 and 3 are alleged to have outraged her modesty.

4. Learned counsel for the petitioners submits that that the petitioners are innocent and they have been falsely implicated in this case. Learned counsel further submitted that the present case is counter blast to Muffasil PS Case No.496 of 2023 dated 24.08.2023, which was lodged by the petitioner no.1 against the husband of the informant and others. It is also submitted that the present FIR has been lodged after about one month's delay. There is no plausible explanation for the delay. The date of occurrence is claimed to be 13.08.2023, but the FIR has been lodged on 14.09.2023 and the injured was examined on 25.09.2023. Lastly, it is submitted that three cases are pending against petitioner nos. 1 and 3 while petitioner no. 2 has clean antecedents.

5. Learned APP as well as learned counsel for the informant has opposed the prayer for bail.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within



six weeks from today, the petitioners 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 Chief Judicial Magistrate, Begusarai, in Muffasil PS Case No.533 of 2023, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

7. The application stands allowed.

(Khatim Reza, J)

J. Alam/-

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