

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30013 of 2024

Arising Out of PS. Case No.-94 Year-2023 Thana- MAINATAND District- West Champaran

1. Suresh Kumar @Lalmohan Son Of Prabhu Sah Resident Of Village- Saraiya Pipra, Ps- Govindganj, Dist- East Champaran
2. Pooja Devi Wife Of Suresh Kumar @ Lalmohan Resident Of Village- Saraiya Pipra, Ps- Govindganj, Dist- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Bimlesh Kumar Pandey, Advocate
For the Opposite Party/s	:	Mr. Prem Kumar Jha, APP
For the Informant	:	Mr. Umesh Kumar Gupta, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 20-05-2024 Heard learned counsel for the petitioners and the State.

2. Petitioners apprehend their arrest in a case registered for the offence punishable under sections 109, 120, 341, 354, 420, 384, 387, 457, 376, 504, 506 and 34 of the Indian Penal Code and Section 27 of Arms Act.

3. As per the prosecution case, it is alleged that despite taking consideration money in advance, these petitioners did not execute the land in question in favour of the informant. It is further alleged that on 25.12.2023, petitioner no. 1 and two



others co-accused persons, they entered into the house of the informant and on the point of the pistol and committed rape with the informant. It is further alleged that on 21.03.2023 all the accused persons demanded Rs. 1,00,000/- from the informant and snatched Rs. 5,000/- and also snatched *mangalsutra* worth Rs. 15,000/- from the neck of the informant.

4. It is submitted on behalf of the petitioners that the petitioners have falsely been implicated in this case for ulterior motive and extraneous consideration to extort money from the petitioners. He further submits that neither the informant has given any amount to the petitioners as alleged in the F.I.R. nor there is any cheat of paper in support of the allegation. Police has submitted chargesheet under Section 406, 420, 120 (B) and 34 of I.P.C. He lastly submits that dispute is purely civil in nature. Petitioners claim clean antecedent.

5. Learned counsel for the State oppose the bail petition.

6 Considering the aforesaid facts and circumstances of the case, in the event of arrest or surrender within six weeks from today, let the petitioners, as named above, be enlarged on bail on furnishing bail bond of Rs.10,000/-(ten thousand) each with two sureties of the like amount each to the satisfaction of



J.M. 1st Class, Bettaih, West Champaran in connection
Mainatand P.S. Case No. 94 of 2023, subject to the conditions
laid down under section 438(2) of the Code of Criminal
Procedure.

(Prabhat Kumar Singh, J)

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