

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 30129 of 2024**

Arising Out of PS. Case No.-78 Year-2021 Thana- GAYA MUFASIL District- Gaya

1. Upendra Yadav S/o- Ram Ratan Yadav Village- Badra Ps- Mufassil Dist- Gaya
2. Yogendra Yadav son of Ram Ratan Yadav Village- Badra Ps- Mufassil Dist- Gaya
3. Naunit Singh son of Hirya Singh @ Hirdya Singh Village- Badra Ps- Mufassil Dist- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr Nafisuzzoha, Advocate
For the Opposite Party/s : Mr Arun Kumar, APP

CORAM: HONOURABLE MR JUSTICE KHATIM REZA

ORAL ORDER

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

2 The petitioners apprehend arrest in connection with Mufassil PS Case No 78 of 2021 dated 17.02.2021 instituted under Sections 341, 323, 504, 308, 354B/34 of the Indian Penal Code.

3 The allegation against the petitioners is of trying to outrage the modesty of the informant.

4 The learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. It is submitted that the occurrence, as alleged, has



taken place for construction of wall on the land of the petitioners. The informant claimed that the petitioners were constructing the wall on her land and on this ground, altercation took place. It is further submitted that none has tried to outrage the modesty of the informant. There is specific allegation of assault against one Hirday Singh who assaulted the mother of the informant. There is no specific allegation of any overt act against petitioner No 3 rather there are general and omnibus allegations against petitioners No 1 and 2 for trying to outrage the modesty of the informant. During the investigation, the injury of one of the injured persons was found by the doctor to be simple in nature. It is also submitted that the petitioners have no criminal antecedent.

5 Learned APP for the State has vehemently opposed the prayer for anticipatory 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 shall be released on bail on each of them furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 01st Class, Gaya



in Mufassil PS Case No 78 of 2021 dated 17.02.2021 subject to the conditions as laid down in Section 438 (2) of the Code of Criminal Procedure, 1973.

7 The application stands allowed.

(Khatim Reza, J)

M.E.H./-

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