

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32611 of 2024

Arising Out of PS. Case No.-816 Year-2022 Thana- AGAMKUAN District- Patna

1. Saurabh Kumar, Son of Kumar Bibhanand Poddar @ Kumar Bibhanand,
2. Kumar Bibhanand Poddar @ Kumar Bibhanand, Son of Parmanand Poddar
Both are residents of Bhootnath Road, behind ATM of SBI, 3RC-8,
Bahadurpur, Housing Colony, Kankarbagh, P.S. -Agamkuan, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sadanand Prasad Deo, Advocate

For the Opposite Party/s : Mr.Satyendra Narayan Singh, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 31-07-2024 Heard learned counsel for the petitioners and learned
APP for the State.

2. In the present case, the petitioners are apprehending their arrest in connection with Agamkuan P.S. Case No. 816 of 2022, registered for the alleged offences under Sections 341, 323, 504 and 354 of the Indian Penal Code.

3. As per prosecution case, the petitioners abused and assaulted the informant and also teased her.

4. The learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. The informant is a friend of estranged wife of petitioner no.1 and she has lodged this case at the behest of



estranged wife of petitioner no.1. The petitioners have been made accused in a number of cases, but all the cases have been filed either by the wife of the petitioner no.1 or by her acquaintance. The wife of the petitioner no.1 has even got lodged a case under the provisions of SC/ST Act against the petitioners through her maid. The learned counsel further submits that in all the cases, the petitioners are on bail. The informant claims that she reached the police station just after the occurrence, but the FIR has been lodged after a delay of one day without assigning any reason for such delay, which shows falsity of the allegation. Even the witnesses examined during investigation are hearsay witnesses except the wife of the petitioner no.1. Further there is no motive for causing such occurrence against the petitioners.

5. Learned APP opposes the submission made on behalf of the petitioners.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the strong possibility of false implication, let the petitioners above named, in the event of their arrest or surrender before the court concerned within a period of eight weeks from today, be released 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 learned Additional Chief Judicial Magistrate-IV, Patna City, Patna, in connection with Agamkuan P.S. Case No. 816 of 2022, subject to the conditions mentioned in Section 438(2) of the Cr.P.C. and the following conditions:

- (i) One of the bailors will be a close relative of the petitioners.
- (ii) The petitioners will remain present on each and every date fixed by the court below, if so required by the learned trial court.

V.K.Pandey/-

(Arun Kumar Jha, J)

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