

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41516 of 2024

Arising Out of PS. Case No.-19 Year-2024 Thana- PURNAHYA District- Sheohar

1. Lalit Bhagat Son Of Surya Bhagat R/O- Village Adauri, P.S.- Purnahiya, Distt.- Sheohar
2. Ranjeet Bhagat Son Of Late Jaynath Bhagat R/O- Village Adauri, P.S.- Purnahiya, Distt.- Sheohar
3. Yatendra Bhagat Son Of Surya Bhagat R/O- Village Adauri, P.S.- Purnahiya, Distt.- Sheohar
4. Sukhal Bhagat @ Kishor Bhagat Son Of Jitu Bhagat R/O- Village Adauri, P.S.- Purnahiya, Distt.- Sheohar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arya Achint
For the Opposite Party/s : Mr.Anant Kumar 1

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 22-07-2024 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.
2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 341, 342, 323, 324, 326, 307, 504, 506 and 34 of the Indian Penal Code.
3. Learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and have been falsely implicated in the instant case by the informant.
4. It is next submitted that Poonam Devi is wife of Nathuni Bhagat who works in Punjab. It is next submitted that



on the alleged date of occurrence, the present informant, finding Poonam Devi alone in the house, entered with an intention to commit rape on which she inflicted stab wound on his private parts and raised an alarm when the petitioners, who are her neighbours, came on hearing her alarm when the informant fled.

5. It is next submitted that the real occurrence is what has been recorded hereinabove, but the informant instituted the instant FIR alleging that Nathuni Bhagat owed an amount of Rs. 17,000/- to him for the last more than one year and he had gone to the house of Poonam Devi for seeking his money when she asked him to wait, on which the informant asked how long he will have to wait, on which she caught him by his collar and took him inside where the accused persons, including the petitioners were sitting from before and Lalit Bhagat inflicted knife wound on his private organs. It is further submitted that the informant has instituted the instant false case in order to cover up his own misdeeds. It is submitted that the informant was aware that husband of the Poonam Devi was in Punjab at the relevant point of time and she was alone in the house with her daughter, as such, taking advantage of her being alone in the house, the informant entered the house with an intention to commit rape, but then Poonam while saving herself inflicted the



said wound on his private part. It is next submitted that since husband of Poonam was not at home, as such, an FIR was not instituted promptly as the villagers told her that the village would punish the informant for his misdeeds and will also ask him to compensate, but when the husband of the Poonam Devi on hearing the news came back from Punjab, the said Poonam Devi had gone to institute an FIR but the same was not registered, accordingly she filed a complaint based on which Purnahiya PS Case No. 56 of 2024 came to be instituted, wherein she has stated that the instant informant had come to her house on the date of occurrence knowing that she was alone for committing rape and she inflicted the stab wound causing injury on his private parts.

6. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

7. Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial court where



the case is pending/successor court in connection with
Purnahiya P.S. Case No. 19 of 2024, subject to the conditions as
laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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