

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49268 of 2024

Arising Out of PS. Case No.-568 Year-2023 Thana- MADANPUR District- Aurangabad

1. Kamla Devi WIFE OF HIRA PASWAN R/O VILLAGE- UCHAULI, PS- MADANPUR, DIST- AURANGABAD
2. JYOTI KUMARI DAUGHTER OF ABODH PASWAN R/O VILLAGE- UCHAULI, PS- MADANPUR, DIST- AURANGABAD
3. SONU KUMAR SON OF BIDESHI PASWAN R/O VILLAGE- UCHAULI, PS- MADANPUR, DIST- AURANGABAD
4. HALENDRA PASWAN @ HARENDRA PASWAN @ HARENDRA KUMAR SON OF HIRA PASWAN R/O VILLAGE- UCHAULI, PS- MADANPUR, DIST- AURANGABAD
5. JAMAHIR PASWAN @ JAHIR PASWAN @ JAWAHAR PASWAN SON OF LATE FEKU PASWAN R/O VILLAGE- UCHAULI, PS- MADANPUR, DIST- AURANGABAD
6. VASANTI DEVI WIFE OF MIRTUNJAY PASWAN R/O VILLAGE- UCHAULI, PS- MADANPUR, DIST- AURANGABAD
7. MOTI PASWAN SON OF LATE FEKU PASWAN R/O VILLAGE- UCHAULI, PS- MADANPUR, DIST- AURANGABAD
8. KANCHAN DEVI WIFE OF MITHUN PASWAN R/O VILLAGE- UCHAULI, PS- MADANPUR, DIST- AURANGABAD
9. SUNITA DEVI WIFE OF JAMAHIR PASWAN R/O VILLAGE- UCHAULI, PS- MADANPUR, DIST- AURANGABAD
10. MANMATI DEVI WIFE OF MOTI PASWAN R/O VILLAGE- UCHAULI, PS- MADANPUR, DIST- AURANGABAD
11. MONU KUMAR SON OF BIDESHI PASWAN R/O VILLAGE- UCHAULI, PS- MADANPUR, DIST- AURANGABAD

... .. Petitioner/s

Versus

1. The State of Bihar
2. RUPA DEVI WIFE OF RAMESH PASWAN VILLAGE- UCHAULI, PS- MADANPUR, DIST- AURANGABAD

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anirudh Kumar Verma, Advocate
For the Opposite Party/s : Mr. Rabindra Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 23-08-2024 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 147, 148, 149, 341, 323, 307, 379, 354 and 504 of the Indian Penal Code as well as Sections 8 and 12 of the POCSO Act.

3. Learned counsel for the petitioners submits that petitioners are persons with clean antecedent and petitioners no. 1, 2, 6, 8, 9 and 10 are women.

4. The informant alleges that on 29.12.2023 at 06:00 p.m. her minor daughter, aged about 15 years, came weeping and disclosed that Guddu Kumar, Shivshankar Kumar and Dheeraj Kumar held her hand with ill intention but she managed to flee away. Thereafter, the informant on the said complaint went to inquire when it is alleged that the accused persons including the petitioners assaulted her daughter with lathi and danda causing injury and also assaulted her on account of which her Saree was removed. Further, they also assaulted her son causing injury on head, Jamaher Paswan snatched his mobile and Manmati Devi snatched her chain. Further, on intervention of villagers they were saved.

5. Learned counsel for the petitioners submits that petitioners have been falsely implicated in the instant case with general and omnibus allegation of assault. It is further submitted that the thrust of the allegation of acting inappropriately with the daughter of the informant is against Guddu Kumar, Shivshankar Kumar and Dheeraj Kumar but then it is submitted that Madanpur P.S. Case No.



567 of 2023 was instituted by the side of the petitioners against the informant and her side and the instant FIR instituted by the informant is a counter blast. It is next submitted that on intervention of well-wishers the parties have compromised as would manifest from the compromise dated 19.01.2024 (Annexure-3 to the anticipatory bail application).

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, let the petitioners above-named, in the event of their arrest or surrender before the learned Court below 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 court below where the case is pending/successor court in connection with Madanpur P.S. Case No. 568 of 2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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