

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44650 of 2024

Arising Out of PS. Case No.-448 Year-2019 Thana- SAHARSA COMPLAINT CASE
District- Saharsa

-
1. Binay Kumar @ Binay Kumar Ram Son of Shiv Shankar Ram, Resident Of Vill- Purbi Chanour, Bakas Mandal Tola, P.S.- Sourbazar, District- Saharsa.
 2. Rahul Kumar @ Rahul Ram Son Of Arun Ram, Resident Of Vill- Purbi Chanour, Bakas Mandal Tola, P.S.- Sourbazar, District- Saharsa.
 3. Ranjeet Ram Son Of Chanchal Ram, Resident Of Vill- Purbi Chanour, Bakas Mandal Tola, P.S.- Sourbazar, District- Saharsa.
 4. Gunjan Ram @ Gulsan @ Gulsan Kumar Ram, Son of Chotkan Ram, Resident of Vill.- Purbi Chanour, Bakas Mandal Tola, P.S.- Sourbazar, District- Saharsa.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Pramila Devi Wife of Sikandar Ram, Resident of Vill- Purbi Chandour, Bakas Mandal Tola, P.S.- Sourbazar, District- Saharsa.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pawan Kumar, Advocate
For the Opposite Party/s : Mr. Rina Sinha, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 24-07-2024 Heard Mr. Pawan Kumar, learned counsel appearing on behalf of the petitioners and Mr. Rina Sinha, learned APP appearing on behalf of the State.

2. The petitioners apprehend their arrest in connection with Complaint Case No. 448C of 2019 arising out of Sourbazar P.S. Case No.14 of 2018 registered under Sections 341, 323 and 354 of the Indian Penal Code.

3. As per the allegation made in the Complaint, the



petitioners had outraged the modesty of the complainant.

4. Learned counsel appearing on behalf of the petitioners submits that petitioners are innocent and they have falsely been implicated in the present case. Learned counsel further submits that police has submitted the final form in the present case and no evidence found against the petitioners during course of investigation. The petitioners and informant are agnates and due to previous enmity and village politics, they have falsely been implicated in the present case. Petitioners have clean antecedent. On these grounds, petitioners seek to be released on bail.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Considering the allegation made in the FIR, as well as, the fact that the final form has been submitted by the police in the present case and no evidence have been found against the petitioners, during course of the investigation, I am of the opinion that petitioners have, *prima facie*, made out a case to be released on pre-arrest bail. The learned District Court is directed to release the petitioners on anticipatory bail, in the event of their arrest or surrender before the learned District Court within a period of four weeks from today, on furnishing bail bond of



Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each, to the satisfaction of learned J.M.- Ist Class, Saharsa in connection with Complaint Case No. 448C of 2019 arising out of Sourbazar P.S. Case No.14 of 2018, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

7. The learned District Court is directed to verify the criminal antecedent of the petitioners, as stated in paragraph no. 3 of the bail application. If any other case is pending against the petitioners, as what has been stated in paragraph no. 3, this order will lose its force automatically.

Ashishsingh/-

(Purnendu Singh, J.)

U		T	
---	--	---	--

