

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53252 of 2024

Arising Out of PS. Case No.-39 Year-2023 Thana- RUDRAPUR District- Madhubani

1. Mohammad Gulam Rasul Ansari @ Gulam Rasul Ansari @ Gulam Rasur Ansari son of Late Daud Ansari Village- Mahrail Ps- Rudrapur Dist- Madhubani
2. Kadam Rasul Ansari son of Late Daud Ansari Village- Mahrail Ps- Rudrapur Dist- Madhubani
3. Arwarum Ansari @ Md. Anvarul son of Late Md. Yasin Village- Mahrail Ps- Rudrapur Dist- Madhubani
4. Sonu Ansari @ Mohammad Atikurahman son of Md. Wahid Hussain Village- Mahrail Ps- Rudrapur Dist- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Baleshwar Kamat, Adv.

For the Opposite Party/s : Mr.Dilip Kumar No.1, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 28-08-2024 Heard learned counsel for the petitioners and Mr. Dilip Kumar No.1, learned Additional Public Prosecutor for the State.

2. The petitioners apprehend their arrest in a case registered for the offence punishable u/s 341, 323, 324, 354, 379, 385, 504, 506/34 of the IPC.

3. Allegation against the petitioners is that they along with other co-accused persons assaulted the informant and disrobed her with bad intention and when her son came for rescue, they also assaulted the son of the informant.

4. It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence.



They have been falsely implicated in this case due to ulterior motive. The present case is the counter-blast of Rudrapur P.S. Case No.37 of 2023 filed by the petitioner's side. It is further submitted that the alleged occurrence has taken place on 26.03.2023 but the F.I.R. has been lodged on 30.03.2023 i.e. after delay of four days, without giving any plausible explanation, which itself creates doubt about the prosecution case. Petitioner no.1 has one criminal antecedent and rest of the petitioners have no criminal antecedent.

5. Learned APP for the State opposed the prayer for bail.

6. Having regard to the facts and circumstances of the case, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five 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 Rudrapur P.S. Case No.39 of 2023 (G.R. No.571 of 2023), subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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