

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56335 of 2024

Arising Out of PS. Case No.-149 Year-2024 Thana- OBRA District- Aurangabad

1. Sanjay Saw Son of Suresh Saw Resident of Village - Aranda, P.S. - Obra, District - Aurangabad
2. Mritunjay Saw @ Mritunjay @ Chhotu Saw Son of Suresh Saw Resident Of Village - Aranda, P.S. - Obra, District - Aurangabad
3. Nirmala Devi Wife Of Sanjay Saw Resident Of Village - Aranda, P.S. - Obra, District - Aurangabad
4. Kamala Devi Wife Of Mritunjay Saw @ Mritunjay @ Chhotu Saw Resident Of Village - Aranda, P.S. - Obra, District - Aurangabad
5. Rinki Devi @ Rinku Devi Wife Of Ajay Saw Resident Of Village - Aranda, P.S. - Obra, District - Aurangabad

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Singh, Advocate
For the Opposite Party/s : Mr.Narendra Kumar Singh, APP
For the Informant : Mr. Ajit Narayan Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 04-09-2024 Heard learned counsel for the petitioners, learned
APP for the State as well as learned counsel appearing on behalf
of the informant.

2. In the present case, the petitioners are
apprehending their arrest in connection with Obra P.S. Case No.
149 of 2024, registered on 11.04.2024 for the offences under
Sections 341, 323, 342, 448, 354, 379, 337, 338, 427, 504/34 of
the Indian Penal Code.



3. As per prosecution case, petitioner nos. 1 and 2 forcibly entered into the house of the cousin daughter-in-law of the informant and tried to outrage her modesty. They also assaulted the informant. Other petitioners who were armed with brick, stick, lathi and danda damaged the house of the daughter-in-law of the informant.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in this case. The present case is counter blast of Obra P.S. Case No. 148 of 2024 which was lodged by petitioner no. 2 as the informant side brutally assaulted petitioner no. 1 and petitioner no. 2 making them unconscious. In order to save themselves, the present case has been lodged. The petitioner nos. 1 and 2 were examined by the doctor and has been reported that petitioner no. 1 has been received grievous injury on his head whereas the opinion with regard to injury of petitioner no. 2 has been kept reserved. Co-accused Naresh Saw, uncle of petitioner nos. 1 and 2, has received internal injury on his person, fled away due to fear of police, started leaving abandoned life and due to lack of proper treatment, he died on 24.05.2024. Learned counsel further submits that the petitioners are having clean antecedent.

5. Learned APP as well as learned counsel



appearing on behalf of the informant vehemently oppose the submission made on behalf of the petitioners. Learned counsel for the informant submits that petitioner nos. 1 and 2 tried to outrage the modesty of the lady of the family of the informant and thereafter, assaulted her and damaged her house.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the earlier version of the petitioners and further considering the 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 bonds of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned Sub-divisional Judicial Magistrate, Daudnagar, Aurangabad/concerned court in connection with Obra P.S. Case No. 149 of 2024, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure and other 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.

(Arun Kumar Jha, J)

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