

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65053 of 2023

Arising Out of PS. Case No.-98 Year-2023 Thana- BABUBARHI District- Madhubani

1. SHATRUDHAN RAUT S/O KARI RAUT R/O VILLAGE- MAINADIH, PS. BABUBARHI, DIST. MADHUBANI
2. JUGNU RAUT @ JUGAT RAUT S/O SUNDAR RAUT R/O VILLAGE- MAINADIH, PS. BABUBARHI, DIST. MADHUBANI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravi Ranjan, Advocate

For the Opposite Party/s : Mr. Jharkhandi Upadhyay, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

4 29-02-2024 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioners apprehend their arrest in connection with Babubarhi P.S. Case No. 98 of 2023 registered under Sections 341, 323,504, 354(B), 379 and 313/34 of the Indian Penal Code lodged on 23.04.2023 by the informant, Pinky Devi.

3. As per the prosecution story, the informant while in injured condition in Darbhanga Medical College and Hospital alleged that she had gone to the house of her friend and later move to the field where the she-goat of the accused persons was grazing. As her friend Sita Devi objected to it, they resorted to assault in which both Sita Devi and the informant were injured. Further allegation against the accused persons is of assaulting on her body causing abortion of



her two and half months child. Accordingly, the FIR.

4. Learned counsel for the petitioners submit that number of persons have been dragged in and accusation has been put against all of them. The further submission is that though allegation of assault is on petitioner no. 1, Shatrudhan Raut, the only allegation against the petitioner no. 2, Jugnu Raut @ Jugat Raut is of pushing her on the ground. Though, he submits that one of the accused person has criminal antecedent but that too has been lodged by the informant's family.

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

6. Both the petitioners have assaulted the pregnant lady which resulted into her death of the two and half months child in the womb, who otherwise would have seen the light of the day and would have lived for years.

7. No case of anticipatory bail is made out. Accordingly, the anticipatory bail of the petitioners stand rejected.

(Rajiv Roy, J)

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