

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67701 of 2024

Arising Out of PS. Case No.-264 Year-2023 Thana- VISHNUPAD District- Gaya

1. Sachin Kumar Bhaiya @ Sachin @ Shammi Bhaiya @ Sunil Son of Vishnu Lal Bhaiya Village- Chandchaura, Ganesh Bhawan, Ps- Vishnupad, Dist- Gaya
2. Vishnu Lal Bhaiya Son of Ganesh Lal Bhaiya Village- Chandchaura, Ganesh Bhwan, Ps- Vishnupad, Dist- Gaya
3. Ashok Lal Bhaiya Son of Ganesh Lal Bhaiya Village- Chandchaura, Ganesh Bhwan, Ps- Vishnupad, Dist- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukul Jee

For the Opposite Party/s : Mr. Kalyan Shankar

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 23-10-2024 1. Heard learned Counsel for the petitioners and learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out of Vishnupad Police Station Case No. 264 of 2023, dated 30.09.2023, disclosing offences under Sections 341/323/324/354/354-B/504/34 of the Indian Penal Code.
3. The prosecution case, as per the First Information Report, is that on 30.09.2023, in the morning, the petitioners, along with other accused persons, came in the house of the informant and started abusing and assaulting him, When the daughter of the informant came to save him, the



accused persons caught her by hair and pulled her on the ground in order to outraged her modesty.

4. Learned Counsel for the petitioners submits that the petitioners have been made accused in this case due to family dispute. The petitioner nos. 2 and 3 are own brother and petitioner no. 1 is nephew of the informant. He next submits that the police, after investigation, submitted charge-sheet under Sections 341, 323, 504 and allied sections, however, learned Magistrate differed with the police report and took cognizance under Sections 354 also, which is non-bailable.
5. Having regard to the submissions made on behalf of the parties and taking into consideration the fact that both the parties are closely related and police after investigation has submitted charge-sheet under bailable sections, I am inclined to grant the petitioners privilege of anticipatory bail.
6. This application is, accordingly, allowed.
7. Let the petitioners, above named, in the event of his arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount



each to the satisfaction of learned Judicial Magistrate 1st
Class, Gaya, in connection with Vishnupad Police Station
Case No. 264 of 2023, subject to the condition laid down
under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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