

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29194 of 2025

Arising Out of PS. Case No.-65 Year-2024 Thana- MAHILA P.S District- West Champaran

1. Gunjan Kumar son of Niraj Kumar @Niraj Kumar Srivastava @ Niraj Kumar Shriwastav Residents of village- Bhitaha Motihari, Police Station-Bairiya, District- West Champaran.
2. Niraj Kumar @ Niraj Kumar Srivastava @ Niraj Kumar Shriwastav son of Daya Shankar Prasad Residents of village- Bhitaha Motihari, Police Station-Bairiya, District- West Champaran.
3. Vijay Kumar @ Vijay Prasad Srivastava @ Vijay Kumar Srivastava @ Vijay Prasad Shriwastav son of Daya Shankar Prasad Residents of village- Bhitaha Motihari, Police Station-Bairiya, District- West Champaran.
4. Gaurav Kumar @ Gaurav Kumar Srivastava @ Gaurav Kumar Shriwastav son of Vijay Kumar @ Vijay Prasad Srivastava @ Vijay Kumar Srivastava @ Vijay Prasad Shriwastav Residents of village- Bhitaha Motihari, Police Station-Bairiya, District- West Champaran.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sachida Nand Rai, Advocate
For the Opposite Party/s : Mr. Bharat Bhushan, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 14-05-2025 Heard learned counsel for the petitioners and the State.

2. Petitioners apprehend arrest in a case registered for the offences punishable under Sections 74, 64, 62, 115(2), 303(2), 352, 351(2) of the Bharatiya Nyaya Sanhita.

3. It is alleged that petitioner No. 1 tried to establish physical relation with informant and when informant refused, he abused her and snatched her gold chain. Furthermore, when



father of the informant made complaint about the aforesaid incident, these petitioners are alleged to have abused the father of informant and threatened to kill him.

4. Learned counsel appearing for the petitioners submits that specific accusation of outraging modesty and snatching gold chain is against petitioner No. 1. So far rest of the petitioners are concerned, allegation against them is general and omnibus and they are made accused merely because they happen to be relatives of petitioner No. 1. Petitioners claim clean antecedent.

5. Learned A.P.P. for the State opposed the bail application and submits that there is specific accusation against petitioner No. 1 that he outraged modesty of the informant and snatched her gold chain.

6. In view of the seriousness of allegations levelled against petitioner No. 1, **prayer for anticipatory bail of petitioner No. 1 is refused.**

7. However, considering the nature of accusation and clean antecedents against petitioner Nos. 2, 3 & 4, the **anticipatory bail with regard to petitioner Nos. 2, 3 & 4 is allowed** and it is ordered that the above named petitioner Nos. 2, 3 & 4 in the event of their arrest/surrender before the court



below within a period of eight weeks from today, be enlarged 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 Additional Chief Judicial Magistrate VI, Bettiah, West Champaran in connection with Bettiah Mahila P. S. Case No. 65 of 2024, subject to condition as laid down under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

(Prabhat Kumar Singh, J)

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