

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33193 of 2025

Arising Out of PS. Case No.-163 Year-2018 Thana- RAJNAGAR District- Madhubani

1. Kapleshwar Sahu @ Kapileshwar Sahu S/o- Late Mangal Sahu Resident of village-Mangrauni Police station-Rajnagar Police station-Pandaul District-Madhubani
2. Pankaj Sahu S/o- Kapleshwar Sahu @ Kapileshwar Sahu Resident of village-Mangrauni Police station-Rajnagar Police station-Pandaul District-Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kripanand Jha, APP
For the Opposite Party/s : Mr. Navin Kr. Pandey, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 20-05-2025 Heard learned counsel appearing on behalf of the petitioners and learned Additional Public Prosecutor appearing on behalf of the State.

2. The accused/petitioners are named in the F.I.R. and apprehended their arrest in connection with Rajnagar P.S. Case No. 163 of 2018 registered for the offences punishable under Sections 447, 341, 323, 384, 386, 420, 379 and 506/34 of the IPC.

3. The allegation against the petitioners is to assault the informant along with other co-accused persons



and outrage her modesty.

4. Learned counsel appearing on behalf of the petitioners submitted that as per narration of FIR, no allegation of assault or outraging modesty is specifically available against these petitioners, rather same is available against one of the co-accused namely Chandu Mishra. It is pointed out that out of previous enmity arising out of Public Distribution System petitioners implicated falsely with the present case, who are men of clean antecedent.

5. Learned APP appearing on behalf of the State, opposes the prayer for anticipatory bail.

6. In view of aforesaid facts and circumstances and by taking note of the fact as prima-facie allegation of assault and outraging modesty is not available against petitioners rather same is available against co-accused Chandu Mishra, coupled with the fact as petitioners are men of clean antecedent, accordingly both above named petitioners, in the event of their arrest or surrender before the learned Trial Court within a period of four weeks, are directed to be released on bail, furnishing bail bond of Rs.10,000/- (Rupees



Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate 1st, Madhubani/concerned Trial Court where the case is pending in connection with Rajnagar P.S. Case No. 163 of 2018 subject to the conditions as laid down under Section 482(2) of the BNSS.

S.Tripathi/-

(Chandra Shekhar Jha, J.)

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