

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77564 of 2024

Arising Out of PS. Case No.-369 Year-2023 Thana- BHAGALPUR COMPLAINT CASE
District- Bhagalpur

-
1. Md. Jafar Son of Md. Hira Resident of Village- Purbi Gharari Nayatola, P.S.- Kharik, Dist.- Bhagalpur.
 2. Md. Monajir Son of Md. Hira Resident of Village- Purbi Gharari Nayatola, P.S.- Kharik, Dist.- Bhagalpur.
 3. Md. Mumtaj Son of Md. Ido Resident of Village- Purbi Gharari Nayatola, P.S.- Kharik, Dist.- Bhagalpur.
 4. Md. Chhanguri @ Md. Chhuguri Son of Md. Ibrahim Resident of Village- Purbi Gharari Nayatola, P.S.- Kharik, Dist.- Bhagalpur.
 5. Md. Taslim Son of Md. Tinkauri Resident of Village- Purbi Gharari Nayatola, P.S.- Kharik, Dist.- Bhagalpur.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Ruksana Khatoon D/O Shamsheer @ Md. Shamsheer Resident of Village- Purbi Gharari Naya Telghi Tola, P.S.- Kharik, Dist.- Bhagalpur.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amrendra Kumar
For the Opposite Party/s : Mr. Rina Sinha

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

6 14-05-2025 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in a case registered for the offence punishable under Sections 341, 323, 506, 354, 406.

3. The prosecution case is based upon a complaint filed on behalf of the complainant wherein she has alleged that while she was coming back with her friends from a Mela and when she reached the house of one Panchu, all the accused



persons were waiting and forcibly pulled her from amongst her friends and she was taken towards the banana orchard and they tried to commit some bad act with her.

4. Learned counsel for the petitioners, at the outset, submits that the allegation in the complaint does not seem to be at all believable as it is her own case that the complainant was not alone but she was along with her friends and was coming back from a Mela. Learned counsel has further invited the attention of the Court to the statement of the complainant on solemn affirmation in which she has stated that on 28.07.2023 around 11:00AM when she reached the house of Panchu all persons pulled her hair and hand and was dragging her to the banana orchard whereafter people came to the place of occurrence. It has also been stated by her that her mother, sister and two other persons were also present.

5. The complainant in her statement on oath does not indicate any bad behaviour to be done by the accused persons and only states that she was pulled and dragged in front of her mother and sister, without indicating any motive for the same. Learned counsel for the petitioners has submitted that the petitioners have been made accused in the case on account of village politics as they are next door neighbours and they have



no criminal antecedent.

6. Learned APP for the State has opposed the application for anticipatory bail.

7. Considering all the above mentioned facts and circumstances, let the above named petitioners in the event of their arrest or surrender before the learned Court below within a period of four weeks from today, be enlarged on bail on 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 court below where the case is pending/successor court in connection with Complaint Case No. 369 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C./482(2) of the B.N.S.S.

(Soni Shrivastava, J)

devendra/-

U		T	
---	--	---	--

