

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87643 of 2024

Arising Out of PS. Case No.-289 Year-2023 Thana- SAHPUR District- Patna

1. Kamlesh Rai S/O Late Rajendra Rai R/O Vill.- Khetanpur, P.S.- Sahpur, Dist.- Patna.
2. Jitendra Rai @ Jitendra Kumar S/O Late Rajendra Rai R/O Vill.- Khetanpur, P.S.- Sahpur, Dist.- Patna.
3. Munister Rai @ Munister Kumar @ Munister S/O Late Rajendra Rai R/O Vill.- Khetanpur, P.S.- Sahpur, Dist.- Patna.
4. Manish Kumar S/O Late Rajendra Rai R/O Vill.- Khetanpur, P.S.- Sahpur, Dist.- Patna.

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Kumar Sinha

For the Opposite Party/s : Mr.Sanjay Kumar Tiwary

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 17-01-2025 Heard learned counsel for the petitioners as well as
the learned APP for the State.

2. The petitioners apprehend their arrest in connection with Sahpur P.S. Case No. 289 of 2023, registered for the offences punishable under Sections 341, 323, 354A, 379, 504, 506, 34 of the Indian Penal Code.

3. It is alleged that while the informant's daughter went to attend tuition, co-accused Bijendra Rai is said to have misbehaved with her and lifted her in his lap and tried to took her in Dhab but hearing the cry of informant's daughter, local



people rushed to the place of occurrence and he fled away leaving his daughter. Thereafter, the informant's daughter went to her house and narrated the entire occurrence to the informant. Then the informant and her husband went to the house of the petitioner and complained about the occurrence. Thereafter, on 23-04-2023 at about 06:00 P.M., all the petitioners including co-accused Bijendra Rai went to the informant's house and abused her and assaulted her husband with *lathi* and *danda*.

4. The learned counsel for the petitioners has submitted that so far as allegation of outraging the modesty of the daughter of the informant is concerned, it is only attributed against co-accused Bijendra Rai and not against the petitioners. The allegations are general and omnibus. None has suffered any kind of injuries. The petitioners have falsely been implicated merely because they are the family members of Bijendra Rai. They are the persons of clean antecedent. He has also submitted that co-accused Bijendra Rai, on exactly similar footing, has been granted regular bail by this Court vide order dated 08.10.2024 in Cr. Misc. No. 68758 of 2024.

5. Considering the above-mentioned facts and circumstances, let the petitioners, in the event of their arrest or surrender within four weeks before the learned court below, 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-Ist Class, Danapur in connection with Sahpur P.S. Case No. 289 of 2023, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Nawneet Kumar Pandey, J)

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