

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2053 of 2015

Arising Out of PS.Case No. -422 Year- 2014 Thana -BARHARIA District- SIWAN

- =====
1. Updesh Kumar Pandey @ Updesh Pandey S/o Late Achhutanand Pandey
 2. Aadesh Kumar Pandey S/o Late Achhutanand Pandey
 3. Anup Kumar Pandey S/o Aadesh Kumar Pandey
 4. Anuj Kumar Pandey S/o Aadesh Kumar Pandey All Resident of Village Hardiya, Police Station Baraharia, District Siwan.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Singh

For the Opposite Party/s : Mr. Uday Chand Pd.(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 19-01-2015 Heard learned counsels for the petitioners and the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 448, 341, 323, 376/511/34 of the Indian Penal Code.

It is alleged that co-accused Arbind Pandey (non-petitioner) attempted to establish forceful physical relationship with the informant when the informant in course of resisting the attempt, dashed Arbind Pandey as a result of which, he received injury on the nose, thereafter Arbind Pandey went to his house then his two brothers, petitioner Updesh Pandey and Aadesh Kumar Pandey and his two nephews petitioner Anup Kumar Pandey and Anuj Kumar Pandey came, started abusing the informant and

also assaulted her.

It is submitted by learned counsel for the petitioners that except injury nos. 1 and 3, rest of the injuries have been found to be simple when the accusation is omnibus and general. The accusation under Section 376/511 of the IPC is not against these petitioners and the petitioners are the agnates of the informant. A statement has been made in para 3 of the petition that the petitioners have no criminal antecedent.

Considering the aforesaid facts, let the above named petitioners be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned C.J.M., Siwan in connection with Barhariya P.S. Case No. 422 of 2014, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

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