

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16959 of 2015

Arising Out of PS.Case No. -565 Year- 2014 Thana -GOPALGANJ CITY District- GOPALGANJ

1. Asgar Mian, S/o - Daud
2. Md. Jafarullah @ Jafarullah Mian, S/o - Taimul Mian
3. Manir @ Manir Mian, S/o - Asger Mian
4. Nasarullah @ Nasarullah Mian, S/O- Taimul Mian
All Village - Muleritola, P.S. + District - Gopalganj

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance:

For the Petitioner/s : Mr. Sushil Kumar, Advocate.

For the Opposite Party/s : Mr. Amrendra Prasad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 20-05-2015

Heard both sides.

The petitioners, four in number, apprehend their arrest in a case under Section 376 and other sections of the Indian Penal Code.

The prosecutrix made allegation that Naem Mian entered into her house and committed rape with her and thereafter all the accused persons came and assaulted the prosecutrix and took away Naem Mian. It is submitted that the police, after investigation, found the case true only under Section 354A of the Indian Penal Code. The case has been compromised. There is no allegation against the petitioners that the petitioners ever touched the body of the prosecutrix.

Having considered the facts aforesaid, the above

named petitioners, in the event of their arrest or surrender before the learned court below within a period of four weeks from the date of receipt / production of a copy of this order, are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Gopalganj in Gopalganj Nagar P.S. Case No. 565/14, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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