

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22955 of 2015

Arising Out of PS.Case No. -523 Year- 2014 Thana -SAKRA District- MUZAFFARPUR

- =====
1. Mahabir Paswan, Son of Ram Sagar Paswan.
 2. Dilip Paswan, Son of Ram Sagar Paswan. All Resident of Village:- Basatpur Gaus, P.S:- Sakra, District:- Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jyotsna Rani Mishra

For the Opposite Party/s : Mr. Shailendra Kumar No.1(App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 03-09-2015 Heard learned counsel for the petitioners and the State.

The petitioners are apprehending their arrest in a case instituted under Sections 147, 149, 341, 323, 307, 376, 511, 379 and 506 of the Indian Penal Code.

It is alleged by the informant ,Sunaina Devi, that at the relevant time she had gone for answering the call of nature but in the meantime the petitioners attempted to commit rape and when she tried to flee away they assaulted by bricks causing fracture injury on her leg.

On behalf of the petitioners it has been submitted that the petitioners have got no criminal antecedent. The alleged date of occurrence is 4.11.2014 but the FIR was instituted on 08.08.2014. No explanation has been made on behalf of the

prosecution in respect of delay in instituting the case. From perusal of the case diary it appears that injury caused is simple in nature. Both the parties are neighbours and prior to the institution of the present case Sakra P.S.Case no. 513/2014 was instituted by the petitioners side against the informant side.

On behalf of the State, it has been submitted that the petitioners are named in the FIR.

Considering the aforesaid facts, let the above named petitioners, in the event of their arrest or surrender in the court below within a period of four weeks, 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 C.J.M., Muzaffarpur in Sakra P.S.case No. 523/2014, subject to the conditions as laid down u/s 438(2) Cr.P.C.

(Sudhir Singh, J)

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