

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29305 of 2015

Arising Out of PS.Case No. -103 Year- 2015 Thana -WARSALIGANJ District- NAWADA

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1. Bali Chauhan S/o Late Ramotar Chauhan
2. Sudalu Kumar S/o Rajendra Chauhan @ Rajendra Prasad Both Resident
of Village Bhelwa, P.S. Warsaliganj, District Nawada.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bharat Lal

For the Opposite Party/s : Mr. Renu Kumari (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 27-07-2015 Heard learned counsels for the petitioners and the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 448,452,323,376,379 and 504/34 of the Indian Penal Code.

It is alleged that co accused Ajay Kumar entered into the house of the informant and ravished her and took away the informant's golden Tabiz when the husband and husband's brother of the victim made protest, co accused Ajay abused and assaulted them.

It is submitted by the learned counsel for the petitioners that in 164 Cr.P.C. statement the victim has only named Ajay and alleged that the family members of Ajay only abused and

threatened. The victim has not made any accusation of assault and she has been assessed to be aged between 18-19 years when no sign of rape was found.

Considering the fact that no specific accusation has been levelled against the petitioners in 164 Cr.P.C. statement of the victim and Statement has been made in paragraph no.3 of the petition that the petitioners have no criminal antecedent, 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 twelve weeks from today on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned CJM, Nawada in connection with Warsaliganj P.S. Case No. 103 of 2015 subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

Anil/-

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