

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37352 of 2015

Arising Out of PS.Case No. -2116 Year- 2013 Thana -EAST CHAMPARAN COMPLAINT
District- EASTCHAMPARAN(MOTIHARI)

=====

1. Bachchu Rai
2. Naresh Rai Both son of Late Sukhdeo Rai, resident of village- Semrah
Ghat, P.S.- Mehshi, District- East Champaran

.... Petitioner/s

Versus

1. The State of Bihar
2. Sunaina Devi Wife of Vilas Rai R/O Village- Semara Ghat P.S.- Mehshi,
District- East Champaran at Motihari

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Karandeep Kumar, Advocate
For the Opposite Party/s : Mr. Bharat Bhushan(App)

=====

**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH**
ORAL ORDER

2 16-09-2015 Heard learned counsel for the petitioners and the
State.

The petitioners are apprehending their arrest in a
complaint case in which processes have been directed to
be issued after cognizance being taken for the offences
punishable under Sections 323, 448, 380, 354, 504 of the
Indian Penal Code.

The prosecution case is that petitioners came to
the door of the complainant, abused her, entered into her
house and made assault. On alarm being raised, the
witnesses came to pacify the matter, then petitioner no. 1
Bachchu Rai pulled her sari and tried to commit rape. On
protest being made by the witnesses, petitioner no.2

namely Naresh Rai took away Rs. 20,000/- cash and clothes and ornaments worth Rs. 10,000/-.

It is submitted by the learned counsel for the petitioners that the petitioners are agnates of the complainant and with regard to dispute of Gairmazarua land the complaint has been filed with malicious motive. For the occurrence of 20.08.2013 the complaint was filed on 22.08.2013. There is counter version of the occurrence also. Statement has been made in para-3 of the petition that petitioners have no criminal antecedent.

Considering the delayed lodging of the case and counter version of the occurrence, let the above named petitioners be released on bail in the event of their arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Sri R.K., IVth, Judicial Magistrate, Ist Class, Sadar Motihari in connection with Complaint Case No. 2116 of 2013, subject to conditions as laid down under Section 438(2) of the Indian Penal Code.

(Dinesh Kumar Singh, J)

P.K./-

U		T	
---	--	---	--