

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33741 of 2015

Arising Out of PS.Case No. -17 Year- 2015 Thana -SC/ST P.S. District- NAWADA

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1. Gungun Singh S/o Awadh Singh.
2. Mantu Singh S/o Awadh Singh Both resident of village- Nandpur, P.S.-
Nardiganj, District- Nawada.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar No.1

For the Opposite Party/s : Mr. Sadanand Paswan (Spl.App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 31-08-2015 Heard learned counsels for the petitioners and the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 323,380,504 and 376/511 of the Indian Penal Code and section 3(1)(x) of the Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act.

The prosecution case is that the accused persons came to the house of the informant, abused the informant using filthy language and asked the husband of the informant to work in the field and on refusal because of non-payment of earlier wage, the accused persons assaulted the husband of the informant. When the husband of the informant ran towards his village, the petitioners

entered into the house of the informant and tore her blouse and attempted to ravish her. It is further alleged that the accused persons took away mobile and the box containing two thousand rupees and ornaments.

It is submitted by the learned counsel for the petitioners that for the occurrence of 11.8.2014 the complaint was filed on 19.8.2014 which came to be registered as police case on 1.4.2015. It is further submitted that the father of the petitioners lodged Nadriganj P.S. Case No. 123 of 2014 making accusation under sections 341,323,427,324,307,504 and 379/34 IPC on 11.8.2014 against the informant side including the husband of the informant. The injury of the informant side has been found to be simple when the petitioners side have also received injuries and the informant retracted from the initial version and has filed a petition to that effect before the learned court below. Statement has been made in paragraph 3 of the petition that the petitioners have no criminal antecedent.

Considering the delayed lodging of the case and the case lodged by the petitioners side at earlier in point of time, 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 Nawada SC/ST P.S. Case No.17 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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