



**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.32200 of 2015**

Arising Out of PS.Case No. -4577 Year- 2014 Thana -PURNIA COMPLAINT CASE District-  
PURNIA

- =====
1. Buchku Mandal Son of Late Dafali Mandal
  2. Kirpu Mandal Son of Sri Nathan Mandal
  3. Sanjay Mandal Son of Sri Buchku Mandal All resident of village -  
Kajha, P.S. K. Nagar, District - Purnea

.... .... Petitioner/s

Versus

1. The State of Bihar
2. Renu Devi Wife of Sri Ashok Mandal resident of village - Kajha, P.S.  
K. Nagar, District - Purnea

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Amit Kumar Anand  
For the Opposite Party/s : Mr. Kumar Virendra Narayan(App)

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

2 07-08-2015

Heard learned counsels for the petitioners  
and the State.

Petitioners are apprehending their arrest in  
a complaint case wherein processes were directed to be issued  
after cognizance being taken for the offences punishable under  
Sections 323, 354, 379, 504 of the Indian Penal Code.

The prosecution case is that on 19.12.2014  
at 7:00 P.M the petitioners entered into the house of the  
complainant when on the order of petitioner No. 1, petitioner  
No. 3 stripped the complainant and made an attempt to ravish  
her. It is alleged that petitioner No. 1 snatched gold ear ring  
worth Rs. 15000/- and petitioner No. 2 snatched silver

ornaments worth Rs. 3000/- of the complainant.

It is submitted by learned counsel for the petitioners that for the occurrence of 19.12.2014 the complaint was filed on 22.12.2014. There is nothing on record to suggest that any medical examination of the complainant was made. Petitioner Nos. 2 and 3 are nephew and son of petitioner No. 1. Hence, the accusation appears to be unreasonable on this point also. In fact the whole accusation has been levelled in the background of land dispute between the parties.

Considering the delayed lodging of the complaint and the nature of accusation against petitioner Nos. 1 and 2, let the petitioner Nos. 1 and 2 namely Buchku Mandal and Kirpu Mandal, in the event of their arrest or surrender before the Court below within a period of 12 weeks from today, be released on anticipatory 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 Judicial Magistrate, 2<sup>nd</sup> Class, Purnea in connection with Complaint Case No. 4577 of 2014, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

Considering the fact that thrust of accusation is against petitioner No. 3 Sanjay Mandal, let learned Court below consider the prayer for regular bail of petitioner No. 3, if he surrenders within a period of six weeks in connection with Complaint Case No. 4577 of 2014, pending in

the Court of learned Judicial Magistrate, 2<sup>nd</sup> Class, Purnea.

Accordingly the application with regard to  
petitioner No. 3 stands disposed off.

Shageer/-

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**(Dinesh Kumar Singh, J)**