

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33057 of 2014

Arising Out of PS.Case No. -12 Year- 2007 Thana -CHAKAMHESI District- SAMASTIPUR

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1. PANKAJ KUMAR CHOUDHARY, @ PANKAJ CHOUDHARY, SON OF SRI LALLU CHOUDHARY , RESIDENT OF VILLAGE - MANTAULY P.S. KALYANPUR , DISTRICT -SAMASTIPUR (BIHAR)
 2. NUNU MISHRA @ PANKAJ KUMAR MISHRA SON OF SRI MAHENDRA MISHRA , R/O VILLAGE -KAMARGAMA, P.S. KALYANPUR, DISTRICT -SAMASTIPUR .

.... PETITIONER/S

VERSUS

THE STATE OF BIHAR

.... OPPOSITE PARTY/S

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Appearance:

For the Petitioner/s : Mr. Deepak Kumar Singh, Adv.

For the Opposite Party/s : Mr. Surendra Pd. Singh, APP

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CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI
ORAL ORDER

5 15-05-2015

Heard learned counsel for the petitioners as well as learned Additional Public Prosecutor.

It has been alleged that in the background of prevailing animosity amongst the parties, both the petitioners including Junm Jai Thakur and Ranjan Chaudhary raided the house of informant at 11:30 PM, knocked the door and then inquired about husband of informant. Thereafter, she was assaulted and an attempt was also made to rape her. Her blouse was torn. Her husband came in rescue who was also assaulted with fist and slap, butt of pistol. Further, Ranjan and petitioner Nunu Mishra took rupees nine hundred from the pocket of her husband.

From the order impugned, it is apparent that police after concluding investigation did not find substance and on account thereof, final form was submitted however, differing therefrom the learned Chief Judicial Magistrate took cognizance of an offence and accordingly, summon the petitioners.

That being so, petitioners **Pankaj Kumar Choudhary, @ Pankaj Choudhary, Nunu Mishra @ Pankaj Kumar Mishra** each are directed to be released on bail on furnishing bail bonds of Rs.10,000/-(ten thousand) each with two sureties of the like amount each, to the satisfaction of learned **Chief Judicial Magistrate, Samastipur** in connection with **Chakmehasi P.S. Case No.12 of 2007** in the event of their arrest / surrender within four weeks in terms of condition so laid down under Section 438(2) Cr.P.C.

(Aditya Kumar Trivedi, J.)

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