

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3182 of 2015

Arising Out of PS.Case No. -5 Year- 2014 Thana -MAHILA PS District- GOPALGANJ

- =====
1. Naimun Nesha, wife of late Manager Miya
 2. Habun Nesha @ Hasbun Nesha, daughter of late Manager Miya
 3. Roshan Tara@ Kabulan, wife of Mehadi Hasan
 4. Mehadi Hasan, son of late Manager Miya
- All resident of village Koini, P.S. Gopalganj, Distt. Gopalganj.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Ms.. Asha Devi, (APP)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH
ORAL ORDER

2 23-01-2015

Heard learned counsel for the Petitioners and the
State.

The Petitioners seek anticipatory bail in a case
instituted for the offence under Sections 354(B), 376,511, 341,
323 and 379/34 of the Indian Penal Code.

Considering the nature of allegation and the fact that
there is no other case of similar nature pending against the
Petitioners of having attempted to outrage the modesty of the
Informant and they have fair antecedents, let the Petitioners in the
event of surrender, named above, within four weeks from the date
of receipt of this order, in connection with Gopalganj (Mahila P.S.
Case No. 5 of 2014, shall be released on anticipatory bail on
furnishing bail bond of Rs.5,000/- (Five thousand) each with two
sureties of the like amount each or any other surety to be fixed by

the Court concerned to the satisfaction of Chief Judicial Magistrate, Gopalganj, subject to the following conditions: (i) That one of the bailors will be a close relative of the petitioners who will give an affidavit giving genealogy as to how he is related with the petitioners. The bailor will also undertake to inform the Court if there is any change in the address of the petitioners. (ii) That the bailor shall also state on affidavit that he will inform the court concerned if the petitioners are implicated in any other case of similar nature after their release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on the ground of misuse. (iii) That the petitioners will give an undertaking that they will receive the police papers on the given date and be present on date fixed for charge and if they fail to do so on two given dates and delay the trial in any manner, their bail will be liable to be cancelled for reasons of misuse. (iv) That the petitioners will be well represented on each date and if they fail to do so on two consecutive dates, their bail will be liable to be cancelled.

The Petitioners shall file an affidavit before the Court below that there is no other case of similar nature pending against them.

(Anjana Prakash, J)

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