

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20910 of 2015

Arising Out of PS.Case No. -116 Year- 2014 Thana -HATHUA District- GOPALGANJ

- =====
1. Munna Prasad Son of Chhathul Lal Prasad. Resident of village - Hathua
Mali Tola, Police Station - Hathua, District - Gopalganj.
2. Pankaj Prasad. Son of Balram Prasad. Resident of village - Mani
Chhapra, Police Station - Hathua, District - Gopalganj.

.... Petitioners

Versus

1. The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Irshad Ahmad Khan

For the Opposite Party : None

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

2 09-07-2015 Heard learned counsel for the petitioners. No one has
appeared on behalf of the State.

Petitioners apprehend their arrest in connection with
Hathua P.S. case no.116 of 2014, registered under section
341,323,376 and 511/34 off the IPC.

The father of the informant is own uncle of petitioner
no.1. The victim is therefore own niece of petitioner no.1.

Allegation is that while the informant was inside the
house the two petitioners herein entered into the house and tried
to lift her with a view to kidnap and/or to commit rape. The same
was objected by the informant. On hulla the parents of the
informant arrived and objected. Two unknown persons are said to

have forced the informant to sit on a motorcycle. The same was, however, averted. It is alleged that the accused persons fisted her and slapped the parents of the victim.

Learned counsel for the petitioners submits that owing to land dispute between the parties in relation to a land which is the subject matter of a deed of gift dated 08.10.2014 the allegation has been levelled. In course of investigation, some witnesses have supported that on account of land dispute the case has been lodged. The petitioners do not carry any criminal antecedent.

Considering the aforesaid facts as also the relevant facts noticed in the case diary in the impugned order, I am persuaded to extend the privilege of anticipatory bail to the petitioners. Let the petitioners, named above, in the event of their arrest/surrender before the learned Court below within a period of four weeks from today, 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 the learned CJM Gopalganj in connection with Hathua P.S. case no. 116 of 2014, subject to the condition as laid down under Section 438 (2) of the Cr.P.C. with further following conditions:-

- (i) One of the bailors in each case shall be the



own/close family member of the petitioner.

- (ii) As soon as the charges are framed the petitioners shall appear in person before the trial court on the date(s) fixed at the trial. In case of default in such appearance on two consecutive dates, the trial Court shall have liberty to cancel the bail bonds of the petitioners and secure their arrest in accordance with law.

(Kishore Kumar Mandal, J)

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