

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42176 of 2015

Arising Out of PS.Case No. -221 Year- 2014 Thana -MAHILA P.S. District- SIWAN

- =====
1. Pramod Ram @ Pramod Kumar Ram , Son of Laldhar Ram
 2. Deepak Kumar Ram, Son of Laldeo Ram
- Both are Residents of village - Seriya, P.S. Basantpur, District – Siwan.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Pandey

For the Opposite Party/s : Mr. Shyam Kumar Singh (App)

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CORAM: HONOURABLE MR. JUSTICE MUNGESHWAR
SAHOO

ORAL ORDER

2 14-10-2015 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners, namely, Pramod Ram @ Pramod Kumar Ram and Deepak Kumar Ram apprehend their arrest in Mahila P.S. Case No.221 of 2014 under sections 147, 148, 149, 448, 452, 380, 379, 307, 323, 324, 427, 376, 511, 506 and 406 I.P.C.

The learned counsel for the petitioners submitted that all the co-accused persons have been granted anticipatory bail by the Sessions Judge himself but the prayer of the petitioners for grant of anticipatory bail has been rejected only on the leveling of section 376/511 I.P.C. The learned counsel submitted that the



Sessions Judge in the order itself clearly recorded that so far the allegation of attempt to rape on the daughter of the informant is concerned, there is no evidence at all except the evidence that these two petitioners took away head of hand pipe. The learned counsel further submitted that although there is allegation of assault etc. but there was no evidence and also there is no medical report with respect to any injury. There is enmity between the parties and prior to this alleged occurrence another case is pending between the parties.

The learned A.P.P. objected the prayer for anticipatory bail.

Perused the order passed by the Sessions Judge. The Sessions Judge has dealt with in great details about the case-diary and has mentioned that the allegation made against these petitioners is not supported by any evidence.

In view of the above position I direct both the petitioners to surrender before the court below within six weeks from today and on their so surrendering, the court below is directed to release the petitioners on bail on furnishing bail bonds of Rs.10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial

Magistrate, Siwan in connection with Mahila P.S. Case No.221 of
2014 subject to the conditions as laid down under Section 438 (2)
Cr.P.C.

(Mungeshwar Sahoo, J)

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