

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53912 of 2015

Arising Out of PS.Case No. -257 Year- 2015 Thana -KALYANPUR District-
EASTCHAMPARAN(MOTIHARI)

- =====
1. Akhilesh Das, S/o Dhora Das,
 2. Sonelal Das, S/o Jhokhan Das,
 3. Ramesh Das, S/o Ramashish Das,
 4. Anil Das, S/o Late Fulen Das

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sharda Nand Mishra, Advocate

For the Opposite Party/s : Mr. Asha Kumari (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 27-11-2015 Heard learned counsels for the petitioners and the

State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 448, 341, 342, 376/511, 323, 307, 379 and 506/34 of the Indian Penal Code.

It is alleged that the petitioners entered into the house of informant assaulted, tried to drag her by putting rope around her neck and made an attempt to ravish her.

It is submitted by learned counsel for the petitioners that even assuming the accusation no offence under sections 376/511 or 379 of the Indian Penal Code is made out. A statement has

been made in paragraph 12 of the petition that the victim was not medically examined.

Considering the aforesaid facts, let the above named petitioners be released on provisional anticipatory bail for 3 months, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned CJM, East Champaran, Motihari in connection with Kalyanpur P.S. Case No.257 of 2015, subject to the conditions as laid down under Section 438(2) Cr.P.C.

The provisional bail of the petitioners will be confirmed by the learned court below, if it transpired that the victim was not medically examined. But if the accusation is corroborated with the medical opinion, then the petitioners will surrender and pray for regular bail.

(Dinesh Kumar Singh, J)

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