

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57104 of 2015

Arising Out of PS.Case No. -16 Year- 2013 Thana -KANGALI District-
WESTCHAMPARAN(BETTIAH)

- =====
1. Intezar Khanm, son of late Nasir Khan
 2. Chhote Khan, son of late Nasir Khan

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma

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

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 18-12-2015

Heard learned counsels for the petitioners and the
State.

The petitioners are apprehending arrest in a case
registered for the offences punishable under Sections 377, 323
and 120B/34 of the Indian Penal Code.

The prosecution case is that co-accused Azad Khan
committed unnatural offence with nephew of the informant
namely Maghnath Sah. When the informant went to made
complaint to uncle of Azad Khan then the petitioners and one
other made assault to the informant.

It is submitted by learned counsel for the petitioners
that the thrust of accusation is against Azad Khan. On conclusion
of investigation, the petitioners were not sent up for trial but
differing with the final form cognizance has been taken against

the petitioners also. Moreover, co-accused Azad Khan has already been acquitted vide order dated 11.12.2013 passed by the Principal Magistrate, Juvenile Justice Board, West Champaran in J.J.B. No.348/2013. A statement has been made in paragraph 3 of the petition that the petitioners have no criminal antecedent.

Considering the aforesaid facts, let the above named petitioners be released on anticipatory bail, 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 Judicial Magistrate, 1st Class, Bettiah, West Champaran in connection with Kangali P.S. Case No.16/2013, subject to the conditions as laid down under Section 438(2) Cr.P.C.

Ashwini/-

(Dinesh Kumar Singh, J)

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