

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46522 of 2014

Arising Out of PS.Case No. -170 Year- 2014 Thana -GAYGHAT District- MUZAFFARPUR

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1. Gulab Mishra @ Mithlesh Kumar Mishra S/o Baidnath Mishra, Resident of village – Shiodaha Barail, P.S. Gayaghat, District – Muzaffarpur.
 2. Lal Babu Mishra, S/o Baidnath Mishra, Resident of village – Shiodaha Barail, P.S. Gayaghat, District – Muzaffarpur.
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.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nagadeo Choubey

For the Opposite Party/s : Mr. Rajendra Singh Shastri Jee(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

02/ 17-04-2015

Heard learned counsels for the petitioners

and the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 341, 376/511, 323, 354B/34 of the Indian Penal Code.

It is alleged that two daughters of the informant Laxmi Kumari and Punam Kumari went to ease out when petitioners caught them and pulled them. It is further alleged that the petitioners tried to outrage the modesty of the daughters of the informant and subsequently they assaulted them.

It is submitted by learned counsel for the

petitioners that even assuming the accusation offence under Section 376/511 of the IPC is not made out and petitioner no. 2 lodged Gaighat P.S. Case No. 110 of 2014 on 29.03.2014 making accusation under Sections 147, 148, 149, 323, 324, 307, 379, 504 and 506 of the IPC against the informant and other family members and thereafter as a retaliatory measure the present case has been lodged.

A statement has been made in para 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 their arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, Ist Class, Muzaffarpur in connection with Gaighat P.S. Case No. 170 of 2014, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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