

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37322 of 2015

Arising Out of PS.Case No. -1408 Year- 2014 Thana -DARBHANGA COMPLAINT CASE
District- DARBHANGA

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1. Shailendra Mandal Son of Late Pancham Mandal
 2. Mukesh Mandal Son of Shri Gyan Chand Mandal @ Sri Hari Chandra Mandal
 3. Sushil Mandal Son of Sri Ram Bilash Mandal All R/o Village- Jogiara, P.S. Jale, District- Darbhanga.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Punita Devi W/o Shankar Kumar Sah Resident of Village- Jogiara, P.S. Jalley, District- Sitamarhi.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Jha

For the Opposite Party/s : Mr. Binod Kumar -Ii(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 15-09-2015 Heard learned counsels for the petitioners and the State.

The petitioners are apprehending arrest in a complaint case in which process has been directed to be issued after cognizance being taken for the offences punishable under Sections 323 and 354 of the Indian Penal Code.

It is alleged that on 14.7.2014 when the complainant and one Sunita Devi went outside to ease, petitioner nos. 1 and 2 started pulling her and outraged her



modesty, abused and assaulted the complainant and aforesaid Sunita Devi. When the villagers came then petitioner no. 3 Sushil Mandal and others assaulted the complainant with lathi and rod and got released petitioner nos. 1 and 2. It is further alleged that petitioner nos. 1 and 2 took away mobile and fifteen thousand three hundred rupees from the pocket of the complainant's husband.

It is submitted by the learned counsel for the petitioners that for the occurrence of 14.7.2014 the complaint was lodged on 23.8.2014 and no information was given to the police. It is further submitted that neither Sunita Devi nor the husband of the complainant or other injured were made even witnesses in the present complaint. Statement has been made in paragraph 3 of the petition that the petitioners have no criminal antecedent.

Considering the delayed lodging of the complaint and actual victim Sunita Devi not being made witness in the complaint, 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 twelve weeks from today on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like

amount each to the satisfaction of learned CJM, Darbhanga in connection with Complaint Case No. 1408 of 2014 subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

Anil/-

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