

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.42850 of 2015**

Arising Out of PS.Case No. -234 Year- 2014 Thana -SONEPUR District- SARAN

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1. Pintu Mahto Son of Ajab Lal Mahto,
  2. Balchand Mahto, Son of Sita Ram Mahto
  3. Bhawan Mahto, Son of Late Sakh Lal Mahto @ Sukh Lal Mahto,
  4. Tuntun Mahto, Son of Sita Ram Mahto,
  5. Ravan Mahto, Son of Late Sakh Lal Mahto @ Sukh Lal Mahto,
  6. Pawan Mahto, Son of Late Sakh Lal Mahto @ Sukh Lal Mahto, All are
- resident of village - Sikarpur Kharia Dih, P.S. - Sonepur, District - Saran.

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Anuj Kumar, Advocate

For the Opposite Party/s : Mr. Nityanand Tiwary(App)

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH**  
**ORAL ORDER**

2 14-10-2015

Heard learned counsel for the petitioners and the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 448, 354, 506/34 of the Indian Penal Code.

The prosecution case is that when the informant went to fetch water then she was gagged by the petitioners with intention to ravish her. On alarm being raised the mother of the informant came to rescue, then her blouse was tore. The information was given to the Gram

Kutchery, but no action was taken till 13.06.2014, thereafter the accused persons entered into her house and made assault. Consequently written report was submitted on 16.06.2014.

It is submitted by the learned counsel for the petitioners that the accusation is omnibus and general. From the accusation it does not appear that even a case under Section 354 is made out. For the initial occurrence of 03.06.2014 the written report was given on 13.06.2014. Though the case was registered on 16.06.2014, but the same reached to the learned Chief Judicial Magistrate on 16.06.2014 which suggests that First Information Report was registered by ante dating. There is no medical report available on record. Statement has been made in para-3 of the petition that petitioners have no criminal antecedent.

Considering the nature of accusation, delayed lodging of the case, delayed reaching of the F.I.R. to the Court and statement made in para-3 of the petition that petitioners have no criminal antecedent, let the above named petitioners be released on 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 Chief Judicial Magistrate, Saran, Chapra in connection with Sonapur P.S.

Case No. 234 of 2014, subject to conditions as laid down under  
Section 438(2) of the Code of Criminal Procedure.



**(Dinesh Kumar Singh, J)**