

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.14060 of 2016

Arising Out of PS.Case No. -571 Year- 2015 Thana -AHIAPUR District- MUZAFFARPUR

1. Nandu Sah Son of Bhara Sah
2. Bharat Singh, son of Late Lakhan Sah
3. Nitish Kumar @ Nitesh Kumar son of Nandu Sah, All are resident of village- Tarma Bakhari, P.S.- Ahiyapur, District- Muzaffarpur
..... Petitioner/s

Versus

1. The State of Bihar
..... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mani Bhushan Kumar
For the Opposite Party/s : Mr. Rita Verma(App)

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 18-04-2016 Heard learned Counsel for the petitioners and learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Ahiyapur Police Station Case No. 571 of 2015, disclosing offences under Sections 341, 323, 307, 354B, 379, 504/34 of the Indian Penal Code.

The petitioner no. 3 is the grandson of petitioner no. 1 and petitioner no. 2 is the son of petitioner no. 1.

Allegedly, all the three accused persons entered into the house of the informant and attempted to commit rape on her.

Learned Counsel for the petitioners submits that the case of the prosecution is highly improbable and the

false accusations have been made because of land dispute between the parties.

I find substance in the submission advanced on behalf of the petitioners for the purpose of present application. This application is accordingly allowed.

Let the petitioners, namely, Nandu Sah, Bharat Sah and Nitish Kumar @ Nitesh Kumar, in the event of their arrest or surrender before the Court below within six weeks, be released on bail 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, Muzaffarpur, in connection with Ahiyapur Police Station Case No. 571 of 2015, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioners shall present themselves before the police/Court, as the case may be, as and when required and in the event of failure on their part to appear before the Court on two consecutive occasions, their bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J.)

Prabhakar Anand/-

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