

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57754 of 2015

Arising Out of PS.Case No. -129 Year- 2015 Thana -SARSI District- PURNIA

- =====
1. Dharmendra Mahaldar son of Late Jagdish Mahaldar
 2. Dasrath Mahaldar Son of Late Jagdish Mahaldar Both resident of Jiyanganj, North Bind Tola, P.s. Sarsi, District- Purnia

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Kamal Kishore Jha, Advocate
For the Opposite Party : Mr. Sanjay Kr. Tiwary No., APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 08-03-2016 Heard learned counsel for the petitioners and learned counsel for the State.

The petitioners are apprehending their arrest in connection with Sarsi P.S. Case No. 129 of 2015 for the offences instituted under Sections 452, 341, 323, 325, 376, 511 and 34 of the IPC.

The prosecution story, in brief, is that on 27.07.2015 at about 11 P.M. while the daughter of the informant along with her three children were sleeping and he along with his wife had gone to the house of the maternal grand mother and he slept in his house. All of a sudden, his son awoke then accused persons fractured his hand and accused attempted to commit rape with his daughter, his *Bhabho* came and tried to caught the Dharmendra

Mahaldar but he succeeded to flee away from the place of occurrence.

It has been submitted on behalf of the petitioners that the petitioners have falsely been implicated in the present case. There is admitted enmity between the parties. No source of identification has been disclosed by the informant. The alleged occurrence is said to have taken place at 11 P.M. in the night.

On behalf of the State, it has been submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners above named, be released on bail in the event of their arrest or surrender before the learned court below within a period of six weeks from today in connection with Sarsi P.S. Case No. 129 of 2015 on furnishing bail bond of Rs. 10,000/-(Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned CJM, Purnea, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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