

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35769 of 2016

Arising Out of PS.Case No. -83 Year- 2016 Thana -JANDAHA District- VAISHALI(HAJIPUR)

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1. Praveen Kumar @ Jodhan Rai son of Madan Prasad Rai resident of Village- Gouspur, P.S.- Jandaha, Distt- Vaishali.
 2. Satendra Singh @ Sachindra Singh son of Bishwa Nath Singh resident of Village- Govindpur, P.S.- Jandaha, Distt- Vaishali.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Singh, Advocate

For the Opposite Party/s : Mr. Sri Satya Nand Shukla, APP

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 02-09-2016

Heard learned counsels for the petitioner and the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 448, 341, 323, 504, 376/511, 453 and 427/34 of the Indian Penal Code.

The prosecution case is that the petitioners took the informant in bamboo clump and made attempt to ravish her but when the informant raised alarm then her mother and brother came to rescue but they were assaulted by the petitioners with fists and slaps and set the hutment of the informant on fire resulting into damage of ₹10,000/-

It is submitted by the learned counsel for the petitioners that the petitioners are agnates of the informant. Informant is the cousin sister of the petitioner no.2 and grand-fathers of the

informant and petitioner no.2 are own brothers. The grand-gathers of the informant and petitioner no.2 exchanged plot no. 494/818 with 794/818 on the basis of oral agreement. The informant's side constructed their house on the exchanged land but when petitioner no.2 sold the exchanged land to petitioner no.1 then the present accusation has been levelled. Admittedly even assuming the accusation, no case under Section 376/511 is made and a proceeding under 144 Cr. P.C. was initiated between the parties from before. A statement has been made in para 3 of the petition that the petitioners have no criminal antecedent.

Considering the nature of accusation, relationship between the parties and the accusation being levelled in the background of serious land dispute, 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 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned A.C.J.M., XI, Vaishali at Hajipur in connection with Jandaha P.S. Case No. 83 of 2016, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

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