

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.58279 of 2015

Arising Out of PS.Case No. -172 Year- 2013 Thana -LALGANJ District-
VAISHALI(HAJIPUR)

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1. Sanjeet Kumar, S/o Chhotelal Paswan.

2. Subodh Paswan, S/o Dayali Paswan.

Both R/o Village-Adaipur Pakari, P.S.-Lalganj, District-
Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar.

2. Rima Devi, W/o Sanjay Paswan, D/o Jangbahadur
Paswan, resident of Village-Sampur, P.S.-Lalganj, District-
Vaishali; at present resident of Village-Adaipur Pakari, P.S.-
Lalganj, District-Vaishali.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sarvesh Kumar Singh, Adv.

For the Opposite Party/s : Mr. Ramesh Chandra (A.P.P.)

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**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH**

ORAL ORDER

2 01-02-2016 Heard learned counsel, appearing on behalf the
petitioners, and learned Additional Public Prosecutor,
appearing on behalf of the State.

This application for grant of anticipatory bail
arises out of Lalganj P.S. Case No.172 of 2013, disclosing

offences under Sections 366(A)/376 and 323 of the Indian Penal Code.

Learned counsel, appearing on behalf of the petitioners, submits that lodging of the complaint case nearly one and half months after the alleged date of occurrence raises serious doubt over the veracity of the prosecution case. He submits that the petitioners have been implicated in the present case out of oblique reasons. He also contends that the victim has retracted from her version in course of investigation. He further submits that the prosecution case, as narrated in the complaint petition, is highly improbable, particularly, in view of the fact that the petitioners and the informant are co-villagers. The petitioners have no criminal antecedent, as stated in paragraph 3 of this application.

Considering the submission, as above, this application is allowed. Let the petitioners, abovenamed, 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/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of **learned Chief Judicial Magistrate, Vaishali at Hajipur**, in connection with **Lalganj P.S. Case No.172 of 2013**, 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, abovenamed, 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.)

Praveen-II/-

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