

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 16060 of 2016

Arising out of PS. Case No. - 153 Year - 2015 Thana - MARAUNA District - SUPAUL

- =====
1. Dukha Prasad Singh, Son of Late Kusheshwar Singh
 2. Raj Kumar Singh, Son of Dukha Prasad Singh
 3. Sanjay Kumar Singh @ Hira Lal Singh, Son of Dukha Prasad Singh, All are residents of village - Khajuri, Police Station - Saur Bazar, District - Saharsa

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Prasad

For the Opposite Party/s : Mr. Akbar Ali, A.P.P.

=====

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

4 14-07-2016 Heard both sides.

The petitioners apprehend their arrest in Marauna P.S. Case No. 153 of 2015 registered for the offences punishable under Sections-376/511 and other allied Sections of the Indian Penal Code.

The prosecutrix made allegation that on 27.09.2015 when she had gone to ease out the petitioner no. 3 Sanjay Kumar Singh @ Hira Lal Singh made an attempt to outrage the modesty. She somehow saved her and complained to the people at the time of worshipping. The prosecutrix further alleged that the accused persons assaulted her when she went to complain about petitioner no. 3 Sanjay Kumar Singh @ Hira Lal Singh. He also ill-behaved

with her sister Saro Devi.

It is submitted that the petitioner no. 1 and 2 are not alleged to have made any attempt to outrage the modesty of the informant or ill-behaved with the sister of the informant. During investigation, the witnesses have said that some altercation took place that is why the case lodged. It appears that the informant made specific allegation against petitioner no. 3 Sanjay Kumar Singh @ Hira Lal Singh that he made attempt to outrage the modesty and also ill-behaved with her sister.

Considering the facts aforesaid, I am not inclined to grant anticipatory bail to the petitioner no. 3. Accordingly, the same is rejected.

So far the petitioner no. 1 Dukha Prasad Singh and petitioner no. 2 Raj Kumar Singh are concerned, there is no allegation of ill-behaving against them.

Considering the facts aforesaid, the petitioner no. 1 Dukha Prasad Singh and petitioner no. 2 Raj Kumar Singh, in the event of their arrest or surrender before the Court below within a period of four weeks from the date of receipt/production of a copy of this order, are directed to be enlarged on bail 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 Judicial

Magistrate-1st Class, Supaul in connection with Marauna P.S. Case
No. 153 of 2015, subject to the conditions as laid down under
Section 438(2) of the Cr.P.C.

(Prabhat Kumar Jha, J)

Kundan/-

U		T	
---	--	---	--