

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.31753 of 2016**

Arising Out of PS.Case No. -178 Year- 2016 Thana -PATLIPUTRA District- PATNA

1. Ram Narayan Brahmchari, son of Late Ram Ashray Lal  
2. Kishore Kunal, son of Shri Ram Narayan Brahmchari.  
Both are resident of Mohalla- Sidheshwar Nagar, Mainpura Devi Asthan,  
P.S. Patliputra, Dist- Patna.

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Shri Prakash Srivastava

For the Opposite Party/s Sri Asharaf Ansari

**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR**  
**SRIVASTAVA**  
**ORAL ORDER**

02/ 17.08.2016 Heard learned counsel for the petitioners as well as learned  
Addl. Public Prosecutor for the State and heard learned counsel for the  
informant.

Petitioners seek bail in a case registered under sections 448,  
341, 342, 363, 511, 354, 504 and 506/34 of the Indian Penal Code.

Petitioners are languishing in jail custody since 20.5.2016  
on the accusation that they made attempt to kidnap the informant's  
daughter and when the wife of informant came to her rescue, she was  
assaulted and humiliated by the petitioners.

The submission on behalf of the petitioners is that  
petitioners are practicing advocates and, as a matter of fact, on the  
alleged date of occurrence, it was the prosecution party who assaulted  
the petitioners for which petitioner no.1 lodged Patliputra P.S. Case  
no. 177/2016 against the informant and others. It is further submitted

that so far as criminal antecedent of the petitioners is concerned, prior to institution of the present case, four cases had been lodged against them but out of the aforesaid four cases, three cases were lodged by wife of the informant of the present case and so far as remaining one case is concerned, police found accusation untrue in respect of petitioners. It is further contended that Addl. Sessions Judge rejected the prayer for bail of the petitioners mentioning that nine cases had been lodged against the petitioners but, as a matter of fact, police in collusion the prosecution party made the petitioners accused in some other cases which had been lodged against unknown persons.

Considering the aforesaid facts and circumstances as well as submissions of the parties, let the petitioners be released on bail on furnishing bail bonds of Rs 10,000/- each with two sureties of the like amount each to the satisfaction of Smt. Divya Mita, Judicial Magistrate, Ist Class, Patna/ concerned court in Patliputra P.S. Case no. 178/2016.

shahid

(Hemant Kumar Srivastava,J)

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|