

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31888 of 2016

Arising Out of PS.Case No. -64 Year- 2016 Thana -NALANDA District- NALANDA
(BIHARSHARIFF)

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1. Upendra Ram, son of Aandhi Ram
2. Bablu Ram @ Bablu Kumar, son of Aandhi Ram,
Both residents of village- Kool (Mathpur) P.S. Nalanda, District-
Nalanda

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Pramod Kumar Sinha, Adv.

For the Opposite Party/s : Mr. A.P.P.

Mr. Sunil Kumar, Adv.

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 29-08-2016 Heard Sri Pramod Kumar Sinha, learned counsel for

the petitioners, learned Addl. Public Prosecutor and Sri Sunil
Kumar, learned counsel, who has voluntarily appeared on behalf
of the informant.

Two petitioners, apprehending their arrest in
Nalanda P.S. Case No.64/2016 registered for the offence under
Section 307 and other allied Sections of the Indian Penal Code,
have prayed for grant of bail in the event of their arrest.

It was submitted by learned counsel for the
petitioners that since the informant side had tried to outrage
modesty of wife of petitioner no.1, occurrence had taken place

and, thereafter the wife of petitioner approached the Police Station with written complaint, however it was not entertained. Thereafter, the wife of the petitioner filed a complaint petition in the court of learned Chief Judicial Magistrate, Biharsharif vide Complaint Case no.545 C/2016, in which after enquiry learned Magistrate has taken cognizance of the offence. By way of referring to injury report, it has been argued that if the allegation made in the F.I.R. is taken as true on its face, the allegation creates serious doubt. He submits that it was alleged that number of injuries were inflicted on Randhir Kumar, whereas during examination by the doctor, said allegation has not been corroborated.

Keeping in view the fact that there was case and counter case and nature of accusation, let both petitioners, namely, (i) Upendra Ram and (ii) Bablu Ram @ Bablu Kumar , in the event of their arrest or surrender within six weeks from today, be released 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 learned Judicial Magistrate 1st Class, Nalanda at Biharsharif in connection with Nalanda P.S. Case No.64/2016, subject to conditions as laid down in Section 438(2) of the Code of Criminal Procedure.

NKS/-

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(Rakesh Kumar, J)