

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.34096 of 2016

Arising Out of PS.Case No. -7 Year- 2015 Thana -DAUDPUR District- SARAN

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1. Rajan Mishra @ Rajan Tiwari @ Rajan Kumar
2. Vijay Mishra @ Vijay Kumar Mishra @ Pappu Mishra Both Son of Late
Pralhab Mishra, Resident of Village- Jaitpur Tiwari Tola, P.S.- Daudpur,
District-Saran

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Anisur Rahman

For the Opposite Party/s : Mr. Sri Abhay Kumar Roy

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**
ORAL ORDER

2 31-08-2016 Heard learned counsel for the petitioners and the
learned A.P.P. for the State.

The petitioners apprehend their arrest in connection
with Daudpur P.S. Case No. 07 of 2015 registered under Sections
341, 323, 354, 379, 504 and 506 of the Indian Penal Code.

The accusation of informant is that in course of
attending the call of nature, both petitioners reached near the
informant and petitioner no.1 Rajan Mishra caught hold her and
petitioner no. 2 Vijay Mishra snatched her gold chain from her
neck. At that time, petitioner no.1 Rajan Mishra tried to establish
physical relation with her, but on raising *hulla*, villagers came then
they fled away.

Learned counsel appearing on behalf of the

petitioners submits that it would appear from the F.I.R. that both the petitioners are own brother and informant is the *Mammi* in the relation of village and due to ulterior motive, the present case has been lodged by the informant.

Having considered the facts and circumstances of the case, let the above named petitioners be released on bail, in the event of arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the Judicial Magistrate, 1st Class, Chhapra in connection with Daudpur P.S. Case No. 07 of 2015, subject to the condition as laid down under Section 438(2) of the Cr. P.C.

(Rajendra Kumar Mishra, J)

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