

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14259 of 2016

Arising Out of PS.Case No. -63 Year- 2015 Thana -NIRMALI District- SUPAUL

- =====
1. Bindeshwar Singh, Son of Late Sonay Singh,
 2. Ashok Singh @ Ashok Kumar Singh, Son of Bindeshwar Singh,
 3. Prakash Singh @ Prakash Kumar @ Babloo Singh, Son of Bindeshwar Singh,
 4. Ram Govind Singh, Son of Late Kamal Singh,
 5. Arjun Singh, Son of Late Kamal Singh
- All residents of village – Dighiya P.S.-Nirmali, District – Supaul.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Gopal Kumar Jha, Advocate.
For the Opposite Party : Mr. Sanjay Kr. Sharma (App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 19-05-2016 Heard both sides.

The petitioners apprehend their arrest in Nirmali P.S. Case No. 63 of 2015, registered for the offences punishable under Sections 147, 148, 379, 376 and 511 of the Indian Penal Code.

The informant made allegation that Bindeshwar Singh was seeing her while she was attending call of nature. The informant made protest on such all the accused persons came and assaulted the informant.

Learned counsel for the petitioner submits that Prabha Devi wife of petitioner no. 3 Prakash Singh @ Prakash Kumar @ Babloo Singh lodged Nirmali P.S. Case No. 61 of 2015. The informant Gyani Devi of the present case is sister-in-law of Shatrughan Singh. The police after investigation submitted final form finding the case false,

but the learned court below took cognizance. It is further submitted that petitioner no. 2 and 3 are sons of petitioner no. 1 and petitioner no. 4 and 5 are nephew of petitioner no. 1. The story told by the informant is unbelievable that entire family members jointly tried to outrage the modesty of the informant.

Considering the facts aforesaid and the fact that prior to lodging of the present case from the side of the petitioners Nirmali P.S. Case No. 61 of 2015 was registered and police after investigation found the allegation false against the petitioners but the court below took cognizance, the petitioners above named, 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 Chief Judicial Magistrate, Supaul in Nirmali P.S. Case No. 63 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Prabhat Kumar Jha, J.)

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