

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14111 of 2016

Arising Out of PS.Case No. -288 Year- 2015 Thana -KALYANPUR District-
EASTCHAMPARAN(MOTIHARI)

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1. Sachindra Paswan @ Sahindra Paswan
2. Satya Narain Paswan, both sons of Late Dhanai Paswan
..... Petitioner/s

Versus

The State of Bihar

..... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ramakant Yadav

For the Opposite Party/s : Mr. J.N. Thakur (APP)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 31-03-2016 Heard learned counsels for the petitioners and the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Section 448, 341, 342, 323, 376/511 and 504/34 of the Indian Penal Code.

The prosecution case is that on 18.08.2015 at 5 PM the petitioners came at the door of informant and abused her by calling her caste name for raising objection by the informant against running of liquor shop by the petitioners. It is further alleged that the accused persons tried to ravish the informant and assaulted on the abdomen of the informant with fists and legs while she was carrying pregnancy of seven months.

It is submitted by the learned counsel for the petitioners that for the occurrence of 18.08.2015 the FIR was registered on

01.10.2015 on the written report of the informant and in the background of bonafide dispute with running of liquor shop the accusation has been levelled. There is no medical report on record to suggest the commission of attempt to rape. Statement has been made in paragraph 3 of the petitioner that the petitioner has no criminal antecedent.

Considering the delay in lodging the case, let the above named petitioners be released on anticipatory bail in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Motihari in connection with Kalyanpur P.S. Case No. 288 of 2015 subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

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