

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28711 of 2016

Arising Out of PS.Case No. -1387 Year- 2014 Thana -COMPLAINT CASE District- JAMUI

- =====
1. Tahlu Tanti @ Tehlu Tanti, Son of late Kaleshwar Tanti.
 2. Chando Tanti son of Pokhan Tanti,
Both resident of village- Chandramandih, P.S- Chandramandih, Distt-
Jamui.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Chanchaliya Devi wife of Narayan Tanti, resident of Village + P.S.
Chandramandih, District- Jamui.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prakash Mahto

For the Opposite Party/s : Md. Ansarul Haque

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 28-07-2016 Heard learned counsel for the petitioner and counsel
for the State.

In the present case, the petitioners are apprehending
their arrest in connection with Complaint Case No. 1387C of 2014
in which cognizance has been taken under Sections 323 and
354/34 of the Indian Penal Code.

In the complaint petition, an allegation has been made
of committing rape, giving details of narration in the complaint
petition but, the court took cognizance of the offence under
Sections 323 and 354/34 of the Indian Penal Code.

Learned counsel for the petitioners has submitted that
few days earlier of filing of the complaint case, the Complainant

has filed a complaint case being Complaint Case No. 1327 C of 2014 against the petitioner which, after examination of the complaint and other materials brought in the case, the case itself was dismissed.

Learned counsel for the petitioners submits that the Complainant is harassing the petitioners by filing a criminal case without any basis and substance.

Looking to the entire facts and circumstances of the case, let the petitioners, namely, Tahlu Tanti @ Tehlu Tanti and Chando Tanti, in the event of their arrest or surrender before the court below within a period of four 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 Judicial Magistrate, 1st Class, Jamui in connection with Complaint Case No. 1387C of 2014, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also subject to condition that whenever the police will call the petitioners for investigation/interrogation, they will remain present and if they would not present themselves, the privilege of grant of anticipatory bail shall be deemed to have been cancelled.

(Shivaji Pandey, J)

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