

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45791 of 2016

Arising Out of PS.Case No. -176 Year- 2016 Thana -NANHPUR District- SITAMARHI

- =====
1. Gulab
 2. Gulzar, both s/o Bechu, r/v Gauri, P.S. Nanpur, District-Sitamarhi.
- Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar

For the Opposite Party/s : Mr. Sri Ashok Kumar

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 29-11-2016 Heard both sides.

The petitioners apprehend their arrest in Nanpur P.S. Case No. 176/2016, registered for the offences punishable under Sections 354, 379 and other Sections of the Indian Penal Code.

Md. Kasim, the informant named the petitioners along with other accused persons and alleged that while he was cultivating his field, all the accused persons came and assaulted the daughter-in-law of the informant and tried to outrage her modesty.

Learned counsel for the petitioners submits that there is land dispute between the informant and the petitioners. The occurrence took place on 18.07.2016 at about 3.00 PM, but Safina Khatoon, daughter-in-law of the informant filed Complain Case No. 266/2016 alleging therein that on 18.07.2016 at about 10.00 in the morning the accused persons, namely Md. Saddam and Md. Jumman made an attempt to outrage her modesty. Safina Khatoon did not

make the petitioners accused in the case. It is submitted that there is a counter version. The accused persons lodged the case only on account of land dispute.

Learned Additional P.P. opposed the prayer for anticipatory bail.

It appears that the father-in-law of the victim made allegation that the petitioners tried to outrage her modesty but Safina Khatoon with regard to the occurrence of the same day filed complaint case (Annexure-3) making allegation against other accused persons that they made attempt to outrage her modesty. There appears to be land dispute between the parties.

Considering the facts aforesaid, 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 Sub Divisional Judicial Magistrate, Pupri, Sitamarhi in connection with Nanpur P.S. Case No. 176/2016, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Prabhat Kumar Jha, J.)

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