

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52994 of 2016

Arising Out of PS.Case No. -144 Year- 2016 Thana -SIMRI BAKHTIARPUR District- SAHARSA
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1. Birendra Mistri
2. Parmanand Mistri @ Parmanand Badhai @ Parmanand
3. Amar Mistri All son of Kailu Mistri Resident of Village- Mangwar, P.S.-
Basnahi, District- Saharsa.

.... Petitioner/s

Versus

1. The State of Bihar
2. Renu Devi, Wife of Jay Chand Badhai, Resident of Village- Simri, Tola-
Dwarika, P.S.- Bakhtiyarpur, District- Saharsa.

.... Opposite Party/s
=====

Appearance :

For the Petitioner/s : Mr. Madhav Jha

For the Opposite Party/s : Mr. Sri Dilip Kumar
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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 21-12-2016 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 376, 323 and 504/34 of the Indian Penal Code.

The husband of the complainant, Jaichand Badhai, lodged Complaint Case No. 368 of 2016 alleging therein that on 06.04.2016, the petitioners attempted to kidnap the son of the complainant and demanded ransom of Rs.1,00,000/-. Thereafter the present complaint case was filed on 07.04.2016 on the very next day of the earlier occurrence with allegation that the petitioners who were relation of the complainant had stayed in her house and one of the petitioners



committed rape on her.

Submission of the petitioners is that both the complaint cases were lodged just to pressurize the petitioners for some other dispute. Subsequently the parties have entered into a compromise.

Considering the background of the allegation and reliability of one of the complaints case under serious doubt, let the petitioners, above named, in the event of their arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Saharsa/Successor Court in connection with Bakhtiyarpur Police Station Case No. 144 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Birendra Kumar, J)

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