

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1567 of 2016

Arising Out of PS.Case No. -157 Year- 2015 Thana -BIKRAM District- PATNA

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1. Munna Paswan Son of Raju Paswan
2. Kundan Paswan Son of Gorakh Paswan
3. Avinash Paswan@Avinash kumar Son of Pradeep Paswan
4. Dharamvir kumar@Dharamvir Paswan Son of Bambam Paswan
5. Suddu Paswan@Suddu Paswan Son of Ram Equabal Paswan All resident
of Village- Sarma Bhadasra, P.s Bikram, District Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arvind Prasad Singh

For the Opposite Party/s : Mr. Parmanand Prasad (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 13-01-2016

Heard learned counsels for the petitioners and the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Section 120B, 323, 341, 354, 354(A), 354(C), 354(D), 376/511 of the Indian Penal Code.

The prosecution case is that when the informant went to ease out the petitioners made attempt to outrage her modesty but due to reaching of villagers the petitioners fled away.

It is submitted by the learned counsel for the petitioners that for the occurrence dated 29.06.2015 the complaint was filed on 10.07.2015 which came to be registered as FIR on 02.08.2015. Statement has been made in paragraph 9 of the petition that the

informant has not been medically examined, which reads as follows:-

“9. That the informant has not been medically examined by the doctor and without examination of the informant such allegation cannot be true.”

Further statement has been made in paragraph 3 of the petition that petitioners have no criminal antecedent. There was dispute with regard to payment of wages between the petitioners and the informant's family and even assuming the accusation no offence under section 354, 376/511 of the IPC is made out.

Considering the delayed lodging of the complaint and the fact that informant was not medically examined, 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 Sri Randhir Kumar, learned JM, 1st class, Danapur, Patna in connection with Bikram P.S. Case No. 157 of 2015, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

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