

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34521 of 2017

Arising Out of PS.Case No. -89 Year- 2016 Thana -MAHILA P.S. District- MADHEPURA

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1. Prem Kumar Mehta, Son of Late Sitaram Mehta,
2. Bhupendra Mehta Son of Late Kamleshwari Mehta, Both are Resident of
Village- Kumarpur, P.S.- Bihariganj, District- Madhepura.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nafisuzzoha, Adv.

For the Opposite Party/s : Mr. Yogendra Kr. Singh (App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

2 10-08-2017 Heard both sides.

The petitioners apprehend their arrest in Mahila Madhepura P.S. Case No. 89/2016, registered for the offences punishable under Section 323, 504 and other sections of the Indian Penal Code.

The informant made allegation that the petitioners and others stripped her clothes and assaulted her with bad intention and took away different articles.

Learned counsel for the petitioners submits that Bihariganj P.S. case No. 194/2016 was registered on the basis of the fardbeyan of petitioner no. 1 Prem Kumar Mehta. The husband of the informant lodged Bihariganj P.S. Case No. 195/2016 under Sections 354, 379 and other sections of the Indian Penal Code, but



the police after investigation found the Bihariganj P.S. Case No. 195/16 false and accordingly submitted final form. Thereafter, the informant lodged the present case after one month of the occurrence. Similarly situated co-accused namely, Pawan Mehta has already been granted anticipatory bail vide order dated 14.07.2017 passed in Cr. Misc. 32475/2017.

Considering the facts aforesaid and the fact that there is case and counter case bearing Bihariganj P.S. Case No. 194/16 and Bihariganj P.S. Case No. 195/16 and co-accused Pawan Mehta has been granted anticipatory bail, 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 Sub-Divisional Judicial Magistrate, Madhepura in connection with Mahila Madhepura P.S. Case No. 89/2016, subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

(Prabhat Kumar Jha, J.)

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