

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.59598 of 2017

Arising Out of PS.Case No. -296 Year- 2015 Thana -COMPLAINT CASE District- ARRARIA

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1. Ganesh Bishwas, S/o Late Gunanand Bishwas,
2. Subhash Bishwas @ Subhash Kumar Bishwas S/o Late Gunanand Bishwas, Both are R/o Village- Rajbaili, P.S.- Bousi, District- Araria.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Sushila Devi W/o Bechan Sah, R/o Village- Rajbali, P.S.- Bousi, Distt.- Araria.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Prasad Singh, Advocate
For the Opposite Party/s : Mr. Sanjay Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 19-12-2017 Heard learned counsel for the petitioners and the State.

The petitioners apprehend their arrest in connection with Complaint Case No.296C of 2015 instituted for the offence under Sections 323, 354 and 380 of the Indian Penal Code.

It has been submitted on behalf of the petitioners that the occurrence is said to have taken place during intervening night of 25/26th January, 2015 whereas the complaint has been filed in the court on 3.2.2015 after delay of about 7-8 days. In the complaint petition, there is allegation that both the petitioners entered into the house of the complainant and tried to misbehave with the daughter of the complainant.

Learned counsel for the petitioners has submitted that for



the same occurrence, the petitioner no.1 has filed complaint case no.296C of 2015 on 27.2.2015 against the complainant of the present case and others. Both the petitioners are own brothers and they have no criminal antecedent.

Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioners is allowed. In the event of surrender/arrest of the petitioners, namely above, within six weeks from today, in connection with Complaint Case No.296C of 2015, they shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of Sri Ashish Ranjan, J.M. 1st, Araria, subject to the conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioners shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason will automatically cancel bail bond of the petitioners and (3) if petitioners tamper with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioners.

(Sanjay Priya, J)

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