

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.55235 of 2017

Arising Out of PS.Case No. -163 Year- 2015 Thana -SURSAND District- SITAMARHI

- =====
1. Bhanu Kumar @ Bhanu Ranjan, Son of Nawal Rai,
 2. Jagdish Mahto, S/o Ram Sevak Mahto, Both are R/o Village- Majhaura, P.S.- Sursand, District- Sitamarhi.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Madhubala Verma, Advocate.

For the Opposite Party : Smt. Veena Kumari Jaiswal, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 17-11-2017 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

Petitioners apprehend their arrest in Sursand P.S.
Case No.163 of 2015 for the offence under Sections 341, 323,
376, 511/379/34 of I.P.C.

As per the written report, there is allegation against
the petitioners along with other co-accused of attempting to
commit rape with the daughter of the informant.

Counsel for the petitioners has submitted that the
victim girl has love affair with co-accused Sipin Kumar.
Charge sheet has been submitted against him and final form
was submitted against the petitioners. But the learned trial
court has taken cognizance against the petitioners also. There



is general and omnibus allegation against the petitioners that they have attempted to commit illegal act with the daughter of the informant along with Sipin Kumar.

In the facts and circumstances of the case, prayer of the petitioners for grant of anticipatory bail is allowed. Let the petitioners, above named, in the event of their arrest or surrender before the court below within six weeks from today, be released on bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of S.D.J.M., Pupari, Sitamarhi, in Sursand P.S. Case No.163/15 subject to the conditions as laid down under Section 438 (2) of Cr.P.C. with further 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 petitioner and (3) if petitioners tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of the bail of the petitioners.

(Sanjay Priya, J)

AnilKrSinha/-

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