

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15222 of 2017

Arising Out of PS.Case No. -97 Year- 2016 Thana -MAHILA P.S. District- ARRARIA

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1. Pankaj Kumar Paswan, S/o Surendra Paswan,
 2. Surendra Paswan, S/o Kichaku Paswan,
 3. Kichaku Paswan, S/o Dupahari Paswan,
 4. Gopal Paswan S/o Mishri Lal Paswan,

All are Resident of Village-Bihari Tola Naranga, P.S.-Palasi, District-
Araria

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manish Kumar

For the Opposite Party/s : Mr. Umesh Lal Verma

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR
ORAL ORDER

2 12-04-2017 Heard learned counsels for the petitioners and the

State.

The petitioners apprehend their arrest in connection
with Araria (Mahila) P. S. Case No. 97 of 2016 instituted under
Sections 323, 324, 354B, 379/34 427 and 448 of the Indian Penal
Code.

The allegation, in brief, is that while the informant
was sleeping, in the mid night all the accused persons entered in
her house and they outraged her modesty and tried to rape her and
when she objected and raised alarm, then they ransacked the house
and also committed theft.



Learned counsel for the petitioners submits that this false case has been lodged to put pressure on the petitioners for withdrawing the case as the petitioner no. 3 had lodged FIR against the informant's side on 21.10.2016 under Section 307 and other allied offences of the penal code and thereafter this case was lodged on 23.10.2016 relating to alleged occurrence dated 19.10.2016. Moreover, petitioner nos. 1 to 3 are son, father and grand father and altogether will not come for committing rape in the neighbourhood and these petitioners have no criminal antecedent.

Having considered the aforesaid facts and circumstances, let the petitioners, namely, **Pankaj Kumar Paswan, Surendra Paswan, Kichaku Paswan and Gopal Paswan**, in the event of arrest or surrender before the court below within four weeks from today, be released on bail upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Araria in connection with Araria (Mahila) P.S. Case No. 97 of 2016; subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure, 1973.

(Arun Kumar, J)

Sujit/-

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