

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33312 of 2017

Arising Out of PS.Case No. -322 Year- 2017 Thana -HILSA District- NALANDA
(BIHARSHARIFF)

- =====
1. Chhoti Kumar @ Chhoti @ Prem Raj, S/o Late Madan Lal @ Late Madan Lal Verma,
 2. Rakesh Kumar @ Rakesh Bharti, S/o Hare Krishna Prasad @ Krishna Master, Both R/o Village/Mohalla - Utari Koiri Tola, Hilsa, P.S.- Hilsa, District- Nalanda.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Ritesh Kumar

For the Opposite Party/s : Mr. Dr. Ajeet Kumar

=====

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 19-08-2017 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 341, 323, 504, 354B/34 of the Indian Penal Code and Section 8 of the Protection of Children from Sexual Offences Act.

Madan Lal, the father of petitioner no. 1 Chhoti Kumar had mortgaged his land through deed of mortgage dated 18.04.2002 vide Annexure-2 in favour of Kameshwar Prasad, the father of the informant.

Submission of the learned counsel for the petitioners is that after expiry of the statutory period, the mortgagee was not ready to release the land and for that there was dispute between



the parties. Though possession was handed over to Madan Lal but just to pressurize in that civil dispute, the present false case has been lodged by the daughter of Kameshwar Prasad with false allegation that the petitioners attempted to outrage her modesty. Only the brother and sister of the informant, who were not present at the time of occurrence, have supported the allegation.

Considering the background of allegation, let the petitioners, above named, in the event of their arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bonds of Rs.20,000/- (Twenty Thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Hilsa, Nalanda/successor Court in connection with Hilsa Police Station Case No. 322 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as condition that the petitioners shall fully cooperate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioners.

(Birendra Kumar, J)

Kundan/-

U		T	
---	--	---	--

