

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8572 of 2017

Arising Out of PS.Case No. -345 Year- 2016 Thana -KATIHAR COMPLAINT CASE District-
KATIHAR

- =====
1. Devan Mehta, Son of Late Bhular Mehta,
 2. Ruplal @ Ruppall Mehta @ Ruplal Mehta @ Rupal Mehta, Son of Late Binda Mehta
 3. Sudhir Mehta, Son of Devan Mehta
 4. Hira Lal Mehta, Son of Devan Mehta
 5. Baso Mehta @ Basudev Mehta, Son of Late Nakchhedi Mehta, All Residents of Village- Mahammadpur, Police Station- Kadwa, District- Katihar.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Kaushaliya Devi Wife of Kusheshwar Mahto Resident of Village- Sanjholi, Police Station- Kadwa, District- Katihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar

For the Opposite Party/s : Mr. Amrendra Prasad

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 07-07-2017 Heard the learned counsel for the petitioners as well as the learned A.P.P. for the State.

In this application for anticipatory bail the petitioners apprehend their arrest in connection with Complaint Case No. 345 of 2016 for the offences punishable under sections 323, 341 and 354/34 of the I.P.C.

The complainant earlier filed Fatuha P.S. Case No. 139 of 2015 against the petitioners wherein the police after completing investigation submitted final form showing lack of evidence and thereafter on the basis of the protest-complaint



cognizance has been taken against the petitioners with the allegations of rape and assault.

Submission is of false implication and that this is out and out a false case, the police submitted final form after due investigation, cognizance has been taken only under sections 354/34, 323 and 341 of the I.P.C and not under section 376 of the I.P.C. and as such the petitioners deserve sympathetic consideration.

The learned A.P.P. opposes prayer for pre-arrest bail of the petitioners.

In the facts and circumstances as stated above, considering that the police submitted final form against the petitioners and as such the petitioners, in case of their arrest or surrender within four weeks from the date of receipt/production of a copy of this order shall be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of. C.J.M. Katihar in connection with above mentioned case, subject to the conditions as laid down in section 438 (2) of the Cr.P.C.

Abhay/-

(Jitendra Mohan Sharma, J)

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