

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.62039 of 2017

Arising Out of PS.Case No. -245 Year- 2017 Thana -GARAUL District- VAISHALI(HAJIPUR)

- =====
1. Virendra Rai,
 2. Dhirendra Rai,

Both are S/o Raja Rai, resident of Village- Piroi, P.S.- Goraul, District-
Vaishali.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar

For the Opposite Party/s : Mr. Sri Nityanand

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH**

ORAL ORDER

02/ 22-12-2017

Heard learned counsel for the petitioners

and learned APP for the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 341, 323, 307, 354B, 379, 504 and 506/34 of the Indian Penal Code.

The prosecution case is to the effect that the informant Shivani Kumari, was sitting alone in her cattle shed on 27.09.2017 at 7.00 P.M., when co-accused Raghvendra Kumar arrived and caught her hand and tried to outrage her modesty. In the meantime, petitioner no. 2 Dhirendra Rai came and ordered co-accused Raghvendra to kill her, then Raghvendra



strangled her neck with both hand. On alarm being raised the parents and brother of the informant came, upon which both the accused escaped from the scene. Thereafter, parents of the informant went to protest, where it is alleged that they were assaulted by the accused persons, when petitioner no. 1 Virendra Rai snatched the gold chain from the mother of the informant.

It is submitted by learned counsel for the petitioners that the accusation of assault has not been levelled against the petitioners. The accusation has been levelled in the background of pending Title Suit No. 844 of 2017. A statement has been made in paragraph 3 of the petition that the petitioners are not having any criminal antecedent.

Learned APP submits that the petitioners are named in the FIR.

Considering the fact that the specific accusation of assault has been levelled against co-accused Raghvendra and a statement has been made in paragraph 3 of the petition that the petitioners are not having any criminal antecedent, let the above named petitioners be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten thousand) each



with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-I, Vaishali at Hajipur in connection with Goraul P.S. Case No. 245 of 2017, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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