

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21438 of 2017

Arising Out of PS.Case No. -4957 Year- 2016 Thana -GOPALGANJ COMPLAINT CASE District-
GOPALGANJ

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1. Krishna Bhagat, Father's name- Late Rajbali Bhagat
2. Dhrup Bhagat, S/o Krishna Bhagat
3. Shyam Sundar Bhagat, S/o Krishna Bhagat
All are resident of village- Semraw, P.S.- Mirganj, District- Gopalganj.

.... Petitioner/s

Versus

1. The State of Bihar
2. Sunita Devi, D/o Shri Kishun Bhagat, R/o Village Semraw, P.S.-
Mirganj, District- Gopalganj.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sushil Kumar

For the Opposite Party/s : Mr. Sri Gauri Shankar Gupta

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

4 06-07-2017 Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners seek pre-arrest bail in connection
with Trial No. 11 of 2017 arising out of Complaint Case No. 4957
of 2016 registered under Sections 323, 354 and 379 of the Indian
Penal Code.

It is contended by the learned counsel for the
petitioners that the allegations made in the complaint are absurd as
father and two of his sons are alleged to have jointly tried to
outrage the modesty of a woman. It is further submitted that due to
the quarrel amongst children of the two families, this false case



has been lodged by the informant.

Learned counsel for the State has opposed the application for grant of pre-arrest bail to the petitioners.

Regard being had to the nature of allegation and the fact that for an alleged occurrence of 02.09.2016 the complaint was lodged after three days on 05.09.2016, the petitioners named above are directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Gopalganj in Complaint Case No. 4957 of 2016 corresponding to Trial No. 11 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, in the event of their arrest or surrender before the court below within six weeks from today.

(Ashwani Kumar Singh, J)

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