

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.22482 of 2017**

Arising Out of PS.Case No. -32 Year- 2017 Thana -MOTIPUR District- MUZAFFARPUR

- =====
1. Bhola Sahni,
  2. Sublal Sahni, Both Son of Bengai Sahni, Both Resident of Village-  
Madhopur, Police Station- Motipur, District- Muzaffarpur.

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Mazharul Hassan, Advocate

For the Opposite Party/s : Sri Anand Kishore Choudhary, APP

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**CORAM: HONOURABLE MR. JUSTICE S. KUMAR**  
**ORAL ORDER**

2      31-05-2017                      Heard learned counsel for the petitioners and the  
  
State.

Petitioners are apprehending their arrest in Motipur  
P.S. Case no. 32 of 2017 for the offences registered under Sections  
341, 323, 504, 379 and 354/34 of the Indian Penal Code.

It is alleged that when informant went to attend call  
of nature then petitioners asked her not to do so in their field,  
thereafter, they made attempt to commit rape upon her but failed  
on hearing noise of nearby persons. They ran away from the place  
after snatching her chain and ear-rings.

It has been contended on behalf of the petitioners that  
they have got no criminal antecedent. Petitioners have falsely  
been implicated in the present case due to previous land dispute.



The FIR has been lodged after much delay and there is no explanation for such delay from the side of the prosecution. One of the co-accused, namely, Bengai Sahni has been enlarged on bail by the court below.

Considering the facts and circumstances of the present case, let petitioners, above named, in the event of arrest or surrender within a period of four weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Sub-Divisional Judicial Magistrate(West),Muzaffarpur, in Motipur P.S. Case no. 32 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

**(S. Kumar, J)**

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