

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13794 of 2017

Arising Out of PS.Case No. -126 Year- 2016 Thana -SAHPUR District- PATNA

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1. Dilip Thakur,
 2. Suman Thakur, Both are sons of Guhari Thakur @ Surendra Thakur,
resident of village - Gangara, P.S. Shahpur, District - Patna

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Virendra Kumar

Mrs. Usha Kumari Singh

For the Opposite Party/s : Mr. Sri Chandrasen Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 19-04-2017 Heard the parties.

The petitioners are apprehending their arrest in connection with Shahpur, P.S.Case No.126 of 2016 registered for offences punishable under Sections 341, 342, 323, 354, 307 and 34 of the Indian Penal Code.

The allegation against the petitioners is about outraging the modesty of the sister of the informant and when she protested, she was also assaulted and the informant was also assaulted by them.

It is submitted on behalf of the petitioners that the petitioners are cousin of the informant, as such allegation of outraging the modesty of the sister of the informant can not be probable.



It is further submitted that though it is alleged that the petitioners assaulted with '*Garasa*' and the injuries are grievous in nature.

Heard learned A.P.P. also, who has opposed the prayer for bail stating that there is allegation of outraging the modesty of the girl as well as allegation of assault and one injury was found grievous in nature.

Having heard both sides and in view of the aforesaid facts, I am not inclined to grant anticipatory bail to the petitioners, however, the petitioners are directed to surrender before the learned court below within a period of six weeks and make prayer for regular bail, which will be considered by the learned court below on its own merit and he will also consider submissions of the petitioners as well as nature of injuries and will dispose of the bail application of the petitioners on the same day.

With the aforesaid observation, this application is dismissed.

(Vinod Kumar Sinha, J)

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