

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.23683 of 2018**

Arising Out of PS.Case No. -110 Year- 2015 Thana -MADHEPURA COMPALINT CASE District-  
MADHEPURA

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1. Md. Maksood, Son of Md. Alam, Resident of Village- Chanda Kabir Tola,  
2. Md. Kitabool @ Ketabul, Son of Md. Najam @ Nejam,  
3. Md. Rustam, Son of Late Md. Wasir,  
4. Md. Nousad, Son of Md. Najam @ Nejam, All three are resident of Village- Dabru, Tola- Basaitha, Ward No.05, All of P.S.- Chousa, District- Madhepura.

.... .... Petitioners

Versus

1. The State of Bihar.  
2. Bibi Javina Khatoon, Wife of Md. Azad, Resident of Village- Chanda, Post- Kheraho, P.S.- Puraini, District- Madhepura.

.... .... Opposite Parties

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**Appearance :**

For the Petitioner/s : Mr. Sunil Kumar Singh

For the Opposite Party/s : Mr. Md. Sufiyan

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**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA**  
**ORAL ORDER**

2      20-04-2018

Heard learned counsel for the petitioners.

Petitioners apprehend their arrest in connection with Complaint Case No. 110 of 2015 lodged for the offences punishable under Sections 323, 341, 354 and 504/34 of the Indian Penal Code.

Allegation against the petitioners Nos. 1 and 2 is of committing rape upon the complainant and against petitioners Nos. 3 and 4 there is allegation that they have assisted the other petitioners.

Submission of learned counsel for the petitioners is that



there is delay of 21 days in lodging the complaint petition and further submission is that police after investigation has not found the case true under Section 376 IPC, rather cognizance has been taken under Section 354 IPC.

Heard learned APP also.

Having heard both sides and in the facts and circumstances, let the petitioners, above named, in the event of their arrest or surrender, be released on bail on furnishing bail bonds of Rs.25,000/- (Rupees twenty five thousand) each with two sureties of the like amount each to the satisfaction of Sri Shiv Kumar, Judicial Magistrate, 1<sup>st</sup> Class, Udakishunganj (Madhepura), in connection with Complaint Case No. 110 of 2015, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and further condition is that one of the bailors shall be a local person having sufficient immoveable properties within the jurisdiction of the court concerned.

**(Vinod Kumar Sinha, J)**

spa/-

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