

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4999 of 2018

Arising Out of PS.Case No. -10 Year- 2016 Thana -MAHILA P.S. District- MADHEPURA

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1. Balkishore Sharma, son of Shiv Sharma,
2. Anirudh Sharma, son of Shiv Sharma, Both resident of Village-
Narayanpur Bargama, P.S.- Alamnagar (Ratwara O.P.), District-
Madhepura.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

2 01-02-2018 Heard both sides.

The petitioners apprehend their arrest in Madhepura, Mahila P.S. Case No.10 of 2016 registered under Sections 341, 323, 376, 504, 506, 34 of the Indian Penal Code.

Victim made allegation that Dilip Sharma and one unknown person on the point of pistol took her to bomboo bush and committed rape with her because she did not agree to compromise in the earlier case being Nagar P.S. Case No.128 of 2015. The informant further alleged that when she went to complain about the rape committed by Dilip Sharma, the petitioner, who are brothers of Dilip Sharm assaulted her.

The learned counsel for the petitioner submits that the



informant earlier lodged a case bearing Nagar P.S. Case No.128 of 2015 against Dilip Sharma under Section 376 of IPC. Again, the informant alleged that Dilip Sharma committed rape on her. Petitioner are next door neighbour of the informant and on account of some land dispute, the petitioner have been falsely implicated in the case.

It appears that the petitioners are brothers of Dilip Sharma and petitioners are alleged that they assaulted the victim when she came to complain. But no allegation to outrage the modesty of the victim is alleged against the petitioner.

Considering the facts aforesaid and the nature of allegation made against the petitioners, the petitioners, above named, in the event of their arrest or surrender before the learned Court below within a period of four weeks from the date of receipt / production of a copy of this order are directed to 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 learned S.D.J.M., Madhepura in connection with Madhepura, Mahila P.S. Case No.10 of 2016, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Sanjeev/-

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(Prabhat Kumar Jha, J)

