

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.65432 of 2018

Arising Out of PS. Case No.-445 Year-2017 Thana- LAHERIYASARAI District- Darbhanga

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Mohan Mandal S/o Late Ram Lochan Mandal Resident of Village-Gudari
Bazar,P.S. Laheriyasari,Distt.-Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anjani Kumar Sinha

For the Opposite Party/s : Mr. Kumar Virendra Narayan

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 13-12-2018 Heard learned counsels for the parties.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 354,341,323,427,448 and 379/34 of the IPC.

The prosecution case as per the written report of Reena Mishra dated 26.10.2017 submitted to the SHO. Laheriyasari Police Station is to the effect that on the same day at 6 P.M. the petitioner entered into the house of the informant and tried to outrage her modesty. When the husband and son of the informant came to rescue, the other co-accused family members of the petitioner came and assaulted the husband and son of the informant. It is also alleged that the accused persons took away Rs.13000/- kept in the cash box in the shop of the informant.



It is submitted by learned counsel for the petitioner that prior to the lodging of the present case, the petitioner lodged Laheriasarai P.S. Case No. 444 of 2017 making accusation under Sections 147, 148, 149, 341, 323, 309, 448, 354, 504, 506 and 379 of the IPC against the informant's side at 6.30 P.M. on 26.10.2017 whereas the present case has been registered on the same day at 7 P.M. Statement has been made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent. It is further submitted that there is no medical report on record.

Learned APP submits that there is specific accusation against the petitioner.

Considering the counter version of the occurrence being earlier in point of time, coupled with the statement made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent, let the petitioner above named be released on anticipatory bail in the event of arrest or surrender within 12 weeks on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned CJM, Darbhanga in connection with Laheriasarai P.S. Case No.445 of 2017 subject to the



conditions laid down in Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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