

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.60139 of 2018

Arising Out of PS. Case No.-41 Year-2018 Thana- MAHILA P.S. District- Bhagalpur

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1. Suman Kumar @ Subham Kumar, S/o Deo Narayan Mandal, R/o Vill.- Madrauni, P.S.- Rangara, District- Bhagalpur.
 2. Chandan Mandal S/o Umi Mandal, R/o Vill.- Sadhopur, P.S.- Rangra, District- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Awadhesh Kumar Pandey

For the Opposite Party/s : Mr. Rajballabh Singh

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 05-11-2018 Heard learned counsel for the petitioners and
learned APP for the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 354B, 307, 506/34 of the Indian Penal Code.

Allegation against petitioner No.1, *Suman Kumar @ Subham Kumar* is that he attempted to ravish the informant when she was alone in her house in the wee hours in the night. The petitioner is neighbour of the informant. The victim has supported the aforesaid allegation in her statement recorded under Section 164 of the Code of Criminal Procedure.

Submission is that there is delay of 14 days in lodging of the F.I.R. and for trivial dispute false case has been



lodged. The informant is mother of two children.

Considering the prima facie nature of allegation and seriousness of the same, I am not inclined to enlarge the petitioner No.1, *Suman Kumar @ Subham Kumar* on anticipatory bail. Hence, his prayer is refused.

There is no active role alleged against petitioner No.2, *Chandan Mandal*, nor he was present at the time of occurrence. Hence, let petitioner No.2, *Chandan Mandal*, in the event of his arrest or surrender before the court below within a period of thirty days from the date of receipt of the order be released on bail on furnishing bail bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Naugachhia Mahila Police Station Case No.41 of 2018, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as condition that the petitioner shall fully co-operate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

(Birendra Kumar, J)

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