

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.38892 of 2018

Arising Out of PS.Case No. -326 Year- 2017 Thana -BARAUNI District- BEGUSARAI

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1. Sikandar Kumar, S/o Govind Bind @ Govind Nishad, R/o Malhipur, Bind Tola, P.S.- Barauni Chakia, District- Begusarai.
 2. Ratan Nishad S/o Yedhu Nishad, R/o Vill.- Kamruddinpur, P.S.- Singhaul, District- Begusarai.

.... Petitioners

Versus

1. The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar, Advocate

For the Opposite Party/s : Mr. Md. Ansarul Haque, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 10-07-2018 Heard learned counsel for the petitioners and
learned Additional Public Prosecutor of the State.

The petitioners are apprehending their arrest in connection with Barauni (Chakia) P.S. Case No. 326 of 2017, registered for offences punishable under Sections 307, 376, 511/34 of the Indian Penal Code and 27 of the Arms Act.

Allegation against the petitioners and other accused persons including the father of the petitioner, is that they tried to attempt to commit rape upon the victim girl and also fired upon her, causing injury in her leg.

Submission of the learned counsel for the petitioners is that the petitioners have falsely been implicated in this case and the present case has been lodged due to the husband of the informant murdered the brother of the petitioner No. 1 in that



regard Barauni (Chakia) P.S. Case No. 76 of 2016 was registered against him.

Learned Additional Public Prosecutor opposes the prayer of bail.

Having heard both sides and in view of the facts and circumstances, as discussed above, let the petitioners, above named, in the event of their arrest or surrender before the Court below within a period of six weeks from the date of the order, be released on anticipatory bail on furnishing bail bonds of Rs. 25,000/- (Twenty five thousand) each with two sureties of the like amount each in connection with Barauni (Chakia) P.S. Case No. 326 of 2017 to the satisfaction of learned Chief Judicial Magistrate, Begusarai, subject to the conditions laid down under Section 438 (2) Cr.P.C. with other that bailors should be local having sufficient immovable property within the jurisdiction of the Court concerned and petitioners shall cooperate in the investigation and shall be present before the police as and when required, otherwise prosecution is at liberty to move for cancellation of their bail bonds.

(Vinod Kumar Sinha, J)

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