

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.67893 of 2018

Arising Out of PS. Case No.-197 Year-2018 Thana- DORIGANJ District- Saran

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1. Rajendra Kumar
 2. Bijendra Kumar
Both Sons of Sipahi Rai
 3. Chandan Kumar
 4. Raja Kumar Both sons of Pappu Rai
All Resident of Village-Pachhihyari Balua,P.S. Doriganj,Distt.-
Saranat Chhapra,Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Yashraj Bardhan, Adv.
For the Opposite Party/s : Mr. J. N. Thakur, APP

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 14-12-2018 Heard learned Counsel for the petitioners and learned APP
for the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 342, 354, 354A, 447, 448, 504 and 506 of the Indian Penal Code.

The prosecution case got initiated on the basis of written report dated 26.07.2018 submitted by Ruchika Kumari to the Station House Officer, Doriganj Police Station to the effect that on 25.07.2018, at 7.30 P.M. when the informant was going to sleep in the new house from old house along with his brother, in the meantime, the accused persons caught hold her and on the point of dagger started dragging her. On protest being made, the



petitioners assaulted him and tore her clothes. On alarm being raised, when brother of the informant and others came, the informant could be saved. All the accused persons also threatened the informant not to make complaint with regard to the occurrence, otherwise his entire family will be implicated in false cases.

It is submitted by learned counsel for the petitioners that for the occurrence of 25.07.2018 at 7.30 P.M., the FIR was registered on 26.07.2018 at 12.45 A.M., which reached to the Court of learned ACJM on 30.07.2018, which clouds the bona fide of the accusation. It is further submitted that however, at earlier point of time, petitioner's sided also lodged Doriganj P.S. Case No.196 of 2018 against the brother of the informant and others levelling accusation under Sections 323,341,342,354,354A, 447, 504 and 506 of the I.P.C. A statement has been made in paragraph no.3 of the petition that the petitioners are not having any criminal antecedent.

It is submitted by learned APP for the State that there is specific accusation against the petitioners.

Considering the delayed lodging of the case and its delayed reaching to the Court of learned ACJM-VII, a case being lodged by the petitioners' side at earlier point of time for the



said occurrence, coupled with statement made in paragraph no.3 of the petition that the petitioners are not having any criminal antecedent, let the above named petitioners be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned ACJM-VII, Saran at Chhapra, in connection with Doriganj P.S. Case No.197/2018, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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