

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.69600 of 2018

Arising Out of PS. Case No.-488 Year-2018 Thana- COMPLAINT CASE District- Jamui

1. Tanik Basfor
2. Benga Bansfor @ Chhotu Bansfor Both Sons of Late Jahuri Basfor Resident of Sivandih Basfod Mohalla, Ward No.22, P.S. and Distt.-Jamui

... .. Petitioner/s

Versus

1. The State of Bihar
2. Gita Devi W/o Santosh Kumar Resident of Village-Shivandih Basfor Mohalla Ward No.22, P.S. Jamui, Distt.-Jamui

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binay Kumar
For the Opposite Party/s : Mr. Sri Shantanu Kumar

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 03-12-2018 Heard learned counsel for the petitioners and learned APP for the State.

The petitioners are apprehending their arrest in a complaint case wherein processes have been directed to be issued after cognizance being taken for the offences punishable under Sections 504, 452, 354B and 380/34 of the Indian Penal Code.

The prosecution case as per the complaint case is that the petitioner no. 1, Tanik Basfor tried to outrage the modesty of the complainant while she was taking bath in an under construction bathroom. When the husband of the complainant made protest, then petitioner No. 2 Benga Bansfor threatened



the husband of the complainant on pistol point. It is further alleged that all the accused persons also took away Rs.70,000/- from the house of the complainant.

It is submitted by learned counsel for the petitioners that the petitioners are neighbours of the complainant, admittedly no injury was caused to anyone which suggests the only case of outraging the modesty of the complainant and it is further submitted that for the occurrence of 11.04.2018, the complaint petition was filed on 16.04.2018. A statement has been made in paragraph 3 of the petition that the petitioners are not having any criminal antecedent.

Learned APP submits that on finding prima facie case cognizance was taken against the petitioners.

Considering the delayed lodging of the complaint i.e., after four days of the occurrence coupled with the statement made in paragraph 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 twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Jamui in connection with Complaint Case No. 488C



of 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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