

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.68753 of 2018

Arising Out of PS. Case No.-111 Year-2018 Thana- CHANDAUTI District- Gaya

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1. Ravi Kant Kumar, Son of Siyaram Singh @ Siyaram Sharma
 2. Jay Singh @ Jay Narayan Sharma, Son of Late Awadh Kishor Singh, Both Resident of Village-Churi, P.S.-Chandauti, District-Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shivendra Prasad

For the Opposite Party/s : Mr. Jagdhar Prasad

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 17-12-2018 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners are apprehending their arrest in a case registered under Sections 147, 148, 149, 341, 323, 324, 354(A), 379, 448, 307, 504 of the Indian Penal Code and 27 of the Arms Act.

The prosecution case, in brief, is that while the informant was sleeping in his house, one Subodh Kumar entered in the room of informant's sister-in-law and tried to outrage her modesty. On alarm being raised, the family members and said Subodh Kumar tried to flee and thereafter, the accused persons came and assaulted the informant.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. The petitioners



have been falsely implicated in the present case. There is case and counter case between the parties. The injury on the side of the accused has not been explained by the prosecution. The prosecution has not come with clean hands. No offence u/S 307 of the Indian Penal Code is made out. Rest of the offences are triable by the Magistrate.

On behalf of the State, it is submitted that the petitioners are named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners, above named, in the event of arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail 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, Gaya in connection with Chandauti P.S. Case No. 111 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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