

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4371 of 2018

Arising Out of PS.Case No. -95 Year- 2017 Thana -BARAULI District- GOPALGANJ

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Nagendra Mahto, Son of Chandrika Mahto, Resident of Village-
Pachrukha, P.S.-Barauli, District-Gopalganj

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vinay Mistry

For the Opposite Party/s : Mr. Yogendra Kr. Singh(App)

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 01-02-2018 Heard the learned counsels for the petitioner and the

State.

The petitioner seeks bail in anticipation of his arrest
in connection with Barauli P.S. Case No. 95 of 2017 dated
01.06.2017 instituted for the offences under Sections 376 and 511
of the Indian Penal Code.

The petitioner is alleged to have committed an act of
sexual misdemeanor with the prosecutrix on 26.05.2017.

Learned counsel for the petitioner has submitted that
though the occurrence is said to have taken place on 26.05.2017
but the case regarding the same was lodged after an unexplained
delay of about five days i.e. on 01.06.2017. It has further been
submitted that the prosecutrix is none else but the wife of the



younger brother of the petitioner and the petitioner has been on litigating terms for property with his younger brother.

Considering the aforesaid facts and taking the nature of accusation in account, the petitioner above named is directed to be released in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order on bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-XIV, Gopalganj in connection with Barauli P.S. Case No. 95 of 2017, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Ashutosh Kumar, J)

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