

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35291 of 2018

Arising Out of PS. Case No.-22 Year-2018 Thana- BHAIKABASHTHAN District-
Madhubani

-
1. Md. Murtaza @ Md. Murtuza son of Md. Niyamat.
2. Md. Abadul Rahman @ Abdul Rahman, son of Md. Sakhawat.
Both are residents of Village- Navtol, P.S.- Bhairav Asthan,
District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar Jha
For the Opposite Party/s : Mr. Smt. Sahin Begam

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

5 18-08-2018 Heard learned counsel for the petitioners, learned
counsel for the State as well as learned counsel for the
informant.

The petitioners, who are in custody, seek bail in
connection with Bhairav Asthan P.S. Case No. 22 of 2018
registered for the offence punishable under Sections 341, 323,
448, 354(B), 379, 504, 506, 34 of the Indian Penal Code.

Informant in her written complaint has stated that
on 09.03.2018 at about 10.30 AM when all the male members
of her house had gone outside to earn their livelihood then
petitioner Nos. 1 and 2 entered into her house and tried to
commit rape upon her but on alarm being raised by her other
family members reached and save her. It has been further
alleged that petitioners snatched Mangalsutra of the informant



and also threatened of dire consequence.

It has been submitted on behalf of the petitioners that they are innocent and have been falsely implicated in this case due to land dispute. It has been further submitted that for the same incident a case has been registered by the father of petitioner No. 2 against the family members of informant and counter case has been lodged subsequent to said case. There is no injury report on behalf of either of the parties. It has been further submitted that petitioner is in custody since 10.03.2018.

Learned Counsel for the informant has vehemently opposed the prayer for grant of regular bail to the petitioner.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. 1st, Jhanjharpur, District- Madhubani, in connection with Bhairav Asthan P.S. Case No. 22 of 2018.

(S. Kumar, J)

veena/-

U		T	
---	--	---	--

