

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.69937 of 2018

Arising Out of PS. Case No.-35 Year-2018 Thana- CHHATAPUR District- Supaul

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1. MD. KAISHAR KHAN @ KAISHAR KHAN Son of Md. Hafiz Khan.
 2. Md. Ahshan Son of Md. Hadis, Resident of Village-Hariharpur, P.S.-Chhatapur, District-Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dinesh Choudhary

For the Opposite Party/s : Mr. Sri Ramchandra Singh

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 05-12-2018 Heard learned counsels for the petitioners and State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 341, 323, 374, 354B, 504, 506 and 509/34 of the IPC.

The prosecution case, as per the written report of Kamana Khatoon dated 06.02.2018, submitted to the Station House, Chhatapur Police Station, is to the effect that on 05.02.2018 at 9 AM, the informant was in her house, when all the accused persons including the petitioners came and tried to outrage the modesty of the informant. It is further alleged that when the



informant raised alarm, all the accused persons fled away from the scene after taking cash and silver jewellery.

It is submitted by learned counsel for the petitioners that the petitioners are the neighbours of the informant and in the background of land dispute, the accusation has been levelled against the petitioner. For the occurrence of 05.02.2018 at 9 AM, the FIR was lodged on 06.02.2018 at 4.25 PM. A statement has been made in paragraph no.3 of the petition that the petitioners are not having any criminal antecedent.

Learned APP submits that there is specific accusation against the petitioners.

Considering the nature of accusation in the background of land dispute and delayed lodging of the FIR, coupled with the statement made in paragraph no.3 of the petition that the petitioners are not having any criminal antecedent, let the above named petitioner be released on anticipatory bail in the event of arrest/surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate-IV, Supaul in connection with Chhatapur P.S. Case No. 35 of 2018, subject to the condition as



laid down under Section 438(2) of the Cr. P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

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