

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8813 of 2018

Arising Out of PS.Case No. -41 Year- 2015 Thana -BIHRA District- SAHARSA

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1. Kishan Mukhiya @ Kisan Mukhiya, Son of Ramesh Mukhiya
2. Muso Mukhiya @ Kusho Mukhiya @ Khusho Mukhiya, S/o Late
Khokhay Mukhiya, Both Resident of Village-Sihaul, P.S. Bihra, District-
Saharsa.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amarnath Jha

For the Opposite Party/s : Mr. Sri Jai Narain Thakur

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA
ORAL ORDER

2 17-02-2018 Heard learned counsel for the petitioners and the

learned A.P.P. for the State.

The petitioners apprehend their arrest in connection
with Bihra P.S. Case No. 41 of 2015, registered under Sections
147, 149, 341, 323, 447, 376, 511, 380 and 506 of the Indian Penal
Code.

The accusation is that wife of the complainant-
informant was sleeping in the house. At that time, Vijay Mukhiya,
entered in the house and tried to commit rape, but he was caught
hold by the wife of the complainant-informant. In the meantime,
Vijay Mukhiya, managed to set free by the petitioners and others.

Learned counsel for the petitioners submits that while



the petitioners are named in the F.I.R., but there is general allegation about holding to Vijay Mukhiya for moving to the clutch of the wife of the informant, which was caught hold at the time of making attempt of committing rape.

Having regard to the facts and circumstances of the case, let the above named petitioner be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Saharsa, in connection with Bihra P.S. Case No. 41 of 2015, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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