

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36134 of 2018

Arising Out of PS.Case No. -76 Year- 2018 Thana -BARH District- PATNA

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1. Navin Kumar,
 2. Akhlesh Kumar @ Akhilesh Kumar,
 3. Nikul Kumar,

All sons of Brahamdev Yadav @ Brahamdev Gop @ Brahmadev Gop,
Resident of Village- Basobagi, P.S.- Barh, District- Patna.

.... Petitioners

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar @ S.K., Advocate
For the Opposite Party/s : Mr. Navin Kumar Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL ORDER

2 03-07-2018 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

The petitioners seek pre-arrest bail in connection with
Barh P. S. Case No. 76 of 2018 registered under Sections 147,
148, 149, 341, 323, 379 and 354 read with 34 of the Indian Penal
Code.

It is submitted by the learned counsel for the
petitioners that the informant has cooked up a false story and has
implicated eighteen persons named in the complaint apart from 20
unknown accused persons including the petitioners on the



allegation that they forcibly entered into her house and outraged her modesty. It is further submitted that it is highly improbable that three petitioners, who are full brothers, would go along with 35 others in the house of the informant without any motive and they all would be involved in outraging her modesty.

On the other hand, learned Additional Public Prosecutor for the State submitted that the informant has made allegation against all the accused persons to have participated in committing the offence inside the house without any motive.

Considering the nature of allegation and the submissions made above, in the event of arrest or surrender before the court below within six weeks from today, the petitioners named above are directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned ACJM, Barh (Patna) in Barh P. S. Case No. 76 of 2018 (GR No. 330 of 2018), subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Ashwani Kumar Singh, J.)

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