

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.60240 of 2018

Arising Out of PS.Case No. -323 Year- 2017 Thana -JOKIHAT District- ARRARIA

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1. Etwari, S/o Badruddin,
 2. Jumrati S/o Badruddin,
 3. Arif S/o Etwari, All R/o Vill.- Chilhaniya, P.S.- Mahalgaon, District-
 Araria.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nafisuzzoha

For the Opposite Party/s : Sri Jai Narain Thakur

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

02/ 06.10.2018 Heard learned counsel for the petitioners as well as
 learned Addl. Public Prosecutor for the State.

Petitioners apprehend their arrest in connection
 with Jokihat (Mahalgaon) P. S. case no. 323/2017 registered
 under sections 307, 354B, 379, 324 and other minor sections
 of the IPC.

Petitioners are named in the first information
 report and there is specific allegation that they having
 entered into the house of the informant, made attempt to
 outrage modesty of the informant's daughter and in that
 course, co-accused Akbar gave rod blow causing head
 injury to the informant.

Learned counsel for the petitioners submits that



there is case and counter case between the parties and, as a matter of fact, on the alleged date of the occurrence, it was the prosecution party, who having entered into the house of the petitioners, made attempt to outrage modesty of female members of the family of the petitioners. It is, further, submitted that the petitioners have, specifically, pleaded at para 15 of this petition that the informant sustained simple injury.

Considering the aforesaid facts and circumstances as well as this aspect of the matter that allegation of assault is against co-accused Akbar and so far as allegation of outraging modesty of the informant's daughter is concerned, the same appears to be omnibus in nature, in the event of arrest/ surrender within six weeks from the date of receipt of this order to the concerned court, let the petitioner be released on bail on furnishing bail bonds of Rs 10,000/- with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Araria in Jokihat (Mahalgaon) P. S. case no. 323/2017 subject to condition as laid down under section 438(2) of the Cr.P.C.

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(Hemant Kumar Srivastava,J)

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