

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20634 of 2019

Arising Out of PS. Case No.-531 Year-2018 Thana- PHULWARISHARIF District- Patna

1. Manish Kumar, aged about 19 years, Male, Son of Lalbabu Paswan, Resident of Village - Mainpura P.S.- Phulwari Sharif, District Patna.
2. Gunjan Kumar, aged about 19 years, Male, Son of Sanjay Paswan, Resident of Village - Mainpura P.S.- Phulwari Sharif, District Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Chandra Mohan Jha
For the Opposite Party/s : Mr.Jitendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 04-04-2019 Heard both sides.

Petitioners apprehend their arrest in Phulwari Sharif P.S.
Case No.531 of 2018, registered under Sections 341, 323, 337,
354, 504 and 34 of the Indian Penal Code.

The victim alleged in her written statement that petitioners Manish Kumar and Gunjan Kumar caught her hands while she had gone to cut grass. When the informant objected, the petitioners are alleged to have abused and assaulted the informant.

Learned counsel for the petitioners submits that prior to institution of this case, mother of the victim lodged Phulwari Sharif P.S. Case No.480 of 2018 on same and similar allegation and alleged that when her daughter went to cut grass on 28.06.2018, Manish Kumar and another boy caught hands of her



daughter but her daughter fled away. It is submitted that the petitioners are next door neighbours of the informant. There is a dispute with regard to flow of drainage and that is why the informant and her mother lodged two cases one after another on same and similar allegation only changing the date of occurrence.

Taking into consideration the facts that on same and similar allegation, the mother of the informant of the present case lodged Phulwari Sharif P.S. Case No.480 of 2018 and after about two weeks from the institution of the earlier case, the informant lodged the present case on same and similar allegation, let petitioners, above named, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt of this order, be enlarged on bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-XV, Patna in connection with Phulwari Sharif P.S. Case No.531 of 2018, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Prabhat Kumar Jha, J)

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