

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23392 of 2019

Arising Out of PS. Case No.-26 Year-2019 Thana- PIYAR District- Muzaffarpur

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1. SHAKUNTLA DEVI Kameshwar Poddar Resident of Village- Ratanmaniya, P.S.- Pear, District- Muzaffarpur.
 2. Kamehswar Poddar S/o Sita Ram Poddar Resident of Village- Ratanmaniya, P.S.- Pear, District- Muzaffarpur.
 3. Vikash Kumar Poddar @ Vikash Kumar S/o Kameshwar Poddar Resident of Village- Ratanmaniya, P.S.- Pear, District- Muzaffarpur.

... .. Petitioners

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioners	:	Mr. Raju Kumar Goswami, Advocate Mr. Pradhan Murli Manohar Prasad, Advocate
For the Opposite Party	:	Mr. Ram Bilash Roy 'Raman', APP

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 11-04-2019

Heard learned counsel for the parties.

This application for anticipatory bail arises out of Pear P.S. Case No. 26 of 2019 for the offence punishable under Sections 341, 323, 504, 379 and 376/511 of the Indian Penal Code.

Learned counsel appearing on behalf of the petitioners has submitted that the father-in-law of the informant and the petitioner No.2 are cousins. Petitioner No.3 is son of petitioner No.1, whereas petitioner No.1 is his wife. Wife of petitioner No.1, before lodging of the present case, had filed a complaint case against the informant and her family members. It has been accordingly argued that lodging of the First



Information Report is malicious.

In view of the facts and circumstances of the case and the nature of accusation, which is of making an attempt to rape, this application is allowed.

Let the petitioners above named, in the event of their arrest/surrender within six weeks from today in the Court below, be released 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 J.M. 1st Class, Muzaffarpur, in Pear P.S. Case No. 26 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioners shall present themselves before the Police/Court, as the case may be, as and when required and in the event of failure on their part to appear before the Court on two consecutive occasions, their bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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