

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34683 of 2019

Arising Out of PS. Case No.-38 Year-2018 Thana- KHIRHAR District- Madhubani

1. Sumit Kumar Khatabey @ Kari, Son of Raj Narayan Khatabey, Resident of Village-Sonai, P.S.-Khirhar, District-Madhubani.
2. Rohit Kumar Khatabey @ Hitber @ Hitlar, Son of Raj Narayan Khatabey, Resident of Village-Sonai, P.S.-Khirhar, District-Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gagan Deo Yadav

For the Opposite Party/s : Mr.Upendra Kumar

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 07-08-2019 This is an application for grant of anticipatory bail in connection with Khirhar P. S. Case No. 38 of 2018, disclosing offences under Sections 341, 354B, 212 of IPC and Sections 8 & 12 of POSCO Act.

Prosecution story is that while the informant went to attend the call of nature, one Amit Khatabey tried to make physical relationship with her and when she raised hulla, Amit Khtabey was apprehended by the parents of the informant and these petitioners came there and got him released from her parents.

Submission of the learned counsel for the petitioners is that there is no allegation against these petitioners of outrage



the modesty or attempting to commit rape and they have falsely been implicated in this case.

Heard learned A.P.P. also.

Having heard both sides, considering the above submission, this application is allowed. Let the petitioners, above named, in the event of his arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount to the satisfaction of learned 1st Additional Sessions Judge-cum-Special Judge of POSCO Act, Madhubani, in connection with Khirhar P.S. Case No. 38 of 2018, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure.

(Vinod Kumar Sinha, J)

Sunil Shukla/-

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