

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41586 of 2019

Arising Out of PS. Case No.-238 Year-2018 Thana- PURAINI District- Madhepura

1. MD. BARKAT Son of Md. Mansoor Resident of Village - Aurai, Ward No. 11, P.S.- Puraini, Distt - Madhepura
2. Md. Mahboob Son of Md. Mansoor Resident of Village - Aurai, Ward No. 11, P.S.- Puraini, Distt - Madhepura
3. Md. Mansoor Son of Md. Mahid Resident of Village - Aurai, Ward No. 11, P.S.- Puraini, Distt - Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajeev Kumar
For the Opposite Party/s : Mr.Nand Kishore Prasad

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 05-07-2019 This application, for grant of anticipatory bail, arises out of Puraini P.S. Case No. 238 of 2018, disclosing offences under Sections 341, 323, 324, 307, 354(B), 379, 448, 504, 506/34 of the Indian Penal Code.

Allegation as per the written report of the informant is that the petitioners entered inside the house and disrobe her and tried to outrage her modesty and when she raised hulla, she was assaulted by the petitioners.

Submission of learned counsel for the petitioners is that earlier to lodging of this case, wife of petitioner no. 2 has lodged a case against husband of informant under Section 376,



511 and other sections of the Indian Penal Code, in which, trial is going on and only to put pressure on the petitioners, on after another case is being filed by the informant against the petitioners. Further submission is that event even the allegation levelled by the informant in the present case is not seem to be probable as petitioner no. 1 is the son of petitioner no. 3 and it is absurd that they would go to commit such an offence together.

Heard learned A.P.P. also.

Having heard both sides, in view of the above facts, this application is allowed. Let the petitioners, above named, in the event of their 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 each to the satisfaction of learned Judicial Magistrate -1st Class, Udakishunganj (Madhepura), in connection with Puraini P.S. Case No. 238 of 2018, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Vinod Kumar Sinha, J)

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