

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51169 of 2019

Arising Out of PS. Case No.-77 Year-2017 Thana- MAHILA P.S. District- Madhubani

1. DIPU PASWAN Son of Jogindra Paswan Resident of Village - Khutauna, P.S.- Benipatti, District- Madhubani
2. Bhagalu Paswan @ Bhaglu Paswan Son of Raghubir Paswan Resident of Village - Khutauna, P.S.- Benipatti, District- Madhubani

... .. Petitioners

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar

For the Opposite Party/s : Mr.Mukesh Kumar Singh

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 17-08-2019

Heard learned counsel for the parties.

This application for anticipatory bail arises out of Mahila P.S. Case No. 77 of 2017 for the offence punishable under Sections 341, 323, 379, 326, 376 and 511/34 of the Indian Penal Code.

Based on a complaint case, the First Information Report has been registered under Section 156(3) of the Cr.P.C.

Referring to the allegation made in the complaint petition, learned counsel appearing on behalf of the petitioner has submitted that the story, as narrated, is highly improbable. He has submitted that there is land dispute between the parties and the police, upon completion of investigation, have not found the allegation of commission of offence punishable under



Section 376 of the Indian Penal Code to be true.

On perusal of the complaint petition, I find some substance in submission made on behalf of the petitioner about the improbability of the case of the prosecution.

This application is accordingly 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 S.D.J.M., Madhubani, in Mahila P.S. Case No. 77 of 2017, 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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