

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70267 of 2019

Arising Out of PS. Case No.-368 Year-2019 Thana- MUZZFARPUR COMPLAINT CASE
District- Muzaffarpur

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1. VICKY KUMAR Son of Kishore Mahato Resident of Village - Pilkhi, P.S.- Sakra, Distt - Muzaffarpur.
 2. Sumitra Devi Wife of Kishore Mahato Resident of Village - Pilkhi, P.S.- Sakra, Distt - Muzaffarpur.
 3. Kishore Mahato @ Anil Mahato Son of Aklu Mahato Resident of Village - Pilkhi, P.S.- Sakra, Distt - Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Bharti Devi @ Bharti Kumari W/O Vishwabandhu Jha Resident of Village - Pilkhi, P.S.- Sakra, Distt - Muzaffarpur.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kunwar Ajit Singh
For the Opposite Party/s : Mr.Ram Sevak Choudhary

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 06-11-2019 This application, for grant of anticipatory bail, arises out of Complaint Case No. 368 of 2019, disclosing offences under Sections 147, 341, 323, 324, 354(B), 379, 504 of the Indian Penal Code and Section 26, 27 of the I.T. Act.

Allegation as per complaint petition is that petitioner no. 1 used to tease the daughter of complainant and also used to threaten her on which, complainant went to make complaint and, thereafter, it is said that all the accused persons came with lathi and danda and petitioner no. 1 tore the Salwar and Samiz of daughter of complainant and all accused persons started taken photograph.

Submission of learned counsel for the petitioners is that



entire allegation is false and concocted and they are co-villagers and whole family members have been made accused in this case.

Heard learned A.P.P. also.

Having heard both sides, considering the facts and circumstances, so far petitioner no. 1 is concerned, I am not inclined to grant him the privilege of anticipatory bail rather he has to surrender and pray for regular bail, which will be disposed of by the court below on the merit of the case, without being prejudiced by the order of this court.

So far other petitioners are concerned, in the event of their arrest or surrender before the court below within six weeks, they are directed to 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 ACJM-IV, Muzaffarpur, in connection with Complaint Case No. 368 of 2019, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

This application is accordingly disposed of.

(Vinod Kumar Sinha, J)

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