

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.73115 of 2019**

Arising Out of PS. Case No.-68 Year-2019 Thana- MAHILA P.S. District- Kaimur (Bhabua)

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1. Nitish Kumar @ Nitish Kumar Shah, Son of Niranjan Sah Resident of Village- Nateya, P.S.- Kudra, District- Kaimur.
2. Mohit Singh @ Mohit Kumar @ Mukul Singh, Son of Tunna Singh Resident of Village- Nateya, P.S.- Kudra, District- Kaimur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Rajesh Kumar Pathak

For the Opposite Party/s : Mr.Satyavrat Verma

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA**

ORAL ORDER

2      21-11-2019                      Heard learned counsel for the petitioners and learned counsel appearing on behalf of the State.

Petitioners apprehend their arrest in connection with Mahila (Bhabua) P.S. Case No.68 of 2019, for the offence punishable under Sections 147, 149, 341, 323, 342, 376, 511 of the Indian Penal Code.

The accusation is that informant Gulabi Kumar had gone to attend the call of nature in the field in the late evening of 24.08.2019 where nine persons named in the FIR including the petitioners caught her hand and tied her hand and leg by Gamacha and took her boring Chamber of Nitish Shah and started to outrage her modesty. On protest, she assaulted by leg



and fist but on hearing sound of outside boring, they fled away from there.

Learned counsel for the petitioner submits that in fact due to grazing of the cattle in the field of the petitioner by the family of informant, hot talk were exchanged and due to that reason, present case has been lodged by the informant with ulterior motive against the petitioners and seven others. Further submission is that petitioners have no criminal antecedent.

Having regard to the facts and circumstances of the case, let the above named petitioner No.1, Nitish Kumar and petitioner No.2, Mohit Singh, be released on bail, in the event of pre-arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Addl. Sessions Judge Ist-cum-Special Judge, Kaimur at Bhabua, in connection with Mahila (Bhabua) P.S. Case No.68 of 2019, subject to the condition as laid down under Section 438 (2) of Cr.P.C.

**(Rajendra Kumar Mishra, J)**

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