

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24093 of 2022

Arising Out of PS. Case No.-132 Year-2019 Thana- BALIGAON District- Vaishali

1. NAWAL KISHORE SINGH S/o Late Kamleshwar Singh Resident of Village- P.O.- ali Nagar Leodhan, P.S.- Baligaon, District- Vaishali.
2. Umakant Singh S/o Late Kamleshwar Singh Resident of Village and P.O.- Ali Nagar Leodhan, P.S.- Baligaon, District- Vaishali.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhananjay Kumar Singh

For the Opposite Party/s : Mr.Uday Chand Prasad

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 13-10-2022 Learned counsel for the petitioners is directed to remove all the defects pointed out by the Stamp Reporter within one month.

Heard learned counsel for the petitioners as well as the learned APP for the State.

The petitioners apprehend their arrest in connection with Baligaon P.S. Case No. 132 of 2019, registered for the offences punishable under Sections 447, 448, 341, 342, 323, 354, 504 and 506/34 of the Indian Penal Code.

There is allegation that the petitioners assaulted the informant and outraged her modesty and petitioner no. 1 also attempted to commit rape upon her.

Learned counsel for the petitioners has submitted that the petitioners are brothers-in-law (Bhaisur) of the informant. The



petitioners were three brothers and the third brother who was husband of the informant had died. During his lifetime, partition had taken place among three brothers in the year 2008. As a matter of fact, after death of their brother, the informant sold the land which was allotted in share of petitioners and in this respect, they had lodged complaint case no. 2446 of 2017 and 305 of 2018 which is much earlier to the present case. He has submitted that due to obvious vendetta the present case has been lodged.

Considering the above-mentioned facts and circumstances, let the petitioners, in the event of their arrest or surrender within four weeks before the learned 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 learned Chief Judicial Magistrate, Vaishali at Hazipur in connection with Baligaon P.S. Case No. 132 of 2019, subject to the conditions as laid down under Section 438(2) Cr.P.C.

Office shall ensure that all defects are removed by the petitioners within the stipulated time provided in para-1 hereinabove, failing which the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

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