

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37212 of 2021

Arising Out of PS. Case No.-701 Year-2018 Thana- BANKA District- Banka

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1. Puran Mandal Son Of Late Jaldhar Mandal Resident of Village - Kunauni, P.S.- Banka, Distt.- Banka.
 2. Deepak Mandal Son Of Ajit Mandal Resident of Village - Koriyandha, P.S.- Banka, Distt.- Banka.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Mukherjee, Adv.
For the Opposite Party/s : Mr. Murlidhar, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 08-02-2022 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State through the virtual court proceeding.

Learned counsel for the petitioners undertakes to remove the defects within three weeks. In the eventuality of non-removal of defects within undertaken period, the office will place the matter before the Bench.

The petitioners are apprehending their arrest in a case registered for the offence punishable under Sections 341, 323, 354B/34 of the Indian Penal Code. But charge-sheet has been submitted under Sections 341, 323, 354, 504/34 and cognizance has been taken under Sections 341, 323, 354B, 504 of the Indian Penal Code.



Prosecution case as lodged by the informant is that while she was standing at the door of her house, petitioners came and started dragging her to their house with intention to commit outrage her modesty. They also abused and assaulted her and her family members with slaps and fists.

It is submitted by learned counsel for the petitioners that petitioners are innocent and have been falsely implicated in this case due to land dispute. He submits that there is case and counter case between the parties vide Banka P.S. case No. 702 of 2021. He submits that there is no specific overt act against the petitioners. He further submits that petitioners have no criminal antecedent as stated in para-3 of this application.

Learned APP for the State opposed the prayer for bail.

Considering the facts and circumstances of the case, the above named petitioners in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be enlarged 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 the learned court below where the case is pending/successor court



in connection with Banka P.S. Case No. 701 of 2018, subject to
the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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