

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37454 of 2022

Arising Out of PS. Case No.-449 Year-2021 Thana- BIHAR District- Nalanda

1. CHANDAN KUMAR @ AMAR JEET KUMAR Son of Late Moti Rajak Resident of Mohalla - Imadpur, P.S.- Bihar, Biharshrif in the district of Nalanda.
2. Kundan Kumar Son of Late Moti Rajak Resident of Mohalla - Imadpur, P.S.- Bihar, Biharshrif in the district of Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vivek Anand Amritesh
For the Opposite Party/s : Mr.Anant Kumar I

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 17-11-2022 Heard learned counsel for the parties.

The petitioners apprehend their arrest in a case registered for the offence under Sections 341, 323, 354, 325, 504, 447, 34 of the Indian Penal Code.

As per F.I.R., on 23.07.2021 at about 1:00 PM, while the informant was alone at her house, petitioners alongwith other co-accused entered into her house and started abusing her. It is further alleged that these two petitioners tried to snatch *dupatta* of informant and when cousin brother of informant came to save her, he was assaulted by the accused persons.

It is submitted on behalf of petitioners that there is no specific allegation of overt act against these petitioners. It is



further submitted that except Section 354 of the I.P.C., all the sections, levelled in the F.I.R., are bailable and moreover, Section 354 of the I.P.C. is not attracted in the instant case.

Learned A.P.P. for the State has opposed the bail petition.

Considering the aforesaid facts and circumstances, let the above named petitioners, in the event of their arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned C.J.M., Nalanda, Bihar Sharif in connection with Bihar P.S. Case No. 449 of 2021, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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