

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1035 of 2022

Arising Out of PS. Case No.-238 Year-2021 Thana- KHARIK District- Bhagalpur

1. Anirudh Mandal Son of Late Mahendra Mandal Resident of Village - Nawada, P.S.- Kharik, Distt.- Bhagalpur.
2. Binod Mandal Son of Late Mahendra Mandal Resident of Village - Nawada, P.S.- Kharik, Distt.- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjan Kumar Jha

For the Opposite Party/s : Mr.Md. Mushtaque Alam

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 21-07-2022 Heard learned counsel for the petitioners and the State.

Petitioners apprehend their arrest in a case registered for the offence punishable under Sections 379/34 and other allied sections of the Indian Penal Code.

Prosecution's case in short is that all the FIR named accused persons including these petitioners assaulted the informant with lathi on her head with intention to outrage her modesty and took away Rs.500/-.

Learned counsel appearing for the petitioners submits that the petitioners are innocent and have falsely been implicated in this case. Parties are agnate and there is



general and omnibus allegation of assault against all the accused persons and no specific overt act has been alleged against the petitioner. It is further submitted that the FIR was lodged after delay of 15 days and there is no plausible explanation of delay.

Considering the nature of allegation against the petitioners, in the event of arrest/surrender within six weeks from today, let the petitioners, named above, 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 the Additional Chief Judicial Magistrate I, Naugachia Bhagalpur in Kharik Police Station Case No. 238 of 2021, subject to the conditions laid down under sections 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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