

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46278 of 2023

Arising Out of PS. Case No.-531 Year-2010 Thana- COMPLAINT CASE District- Supaul

1. MD. DAUD S/O LATE SMOUDDIN R/O Village- Rajgoan, P.S- Jadia, Distt.- Supaul.
2. Md. Azad S/O Md. Daud R/O Village- Rajgoan, P.S- Jadia, Distt.- Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prafull Chandra Thakur
For the Opposite Party/s : Mr.Umeshanand Pandit

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 10-08-2023 Heard learned counsel for the petitioners and the State.

2. Petitioners apprehend arrest in a case registered for the offence punishable under sections 354/480 and other ancillary sections of the Indian Penal Code.

3. As per the prosecution case, petitioners entered into courtyard of the complainant, pushed her daughter-in-law on the ground and tried to commit rape. Petitioner no.1 took away household articles from the house.

4. It is submitted on behalf of the petitioners that the petitioners are next door neighbourer and due to petty dispute simple marpit took place between them. Complaint has been lodged after inordinate delay of twenty days without any



explanation which renders the entire prosecution case doubtful.

5. Considering the aforesaid facts of the case and delay in lodging of FIR, prayer for bail of all the petitioners is allowed. In the event of arrest/surrender within six weeks from today, let these petitioners, mentioned above, be enlarged 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 Additional Chief Judicial Magistrate V, Supaul in Complaint Case No. 531C/201, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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