

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49685 of 2022

Arising Out of PS. Case No.-94 Year-2022 Thana- KASBA District- Purnia

1. MD. ISTKHAR @ ISTKHAR Son of Md. Jainul Resident of vill- Bareta, Police Station - Kasba, District - Purnea.
2. Md. Rihan Son of Md. Mosim Resident of vill- Bareta, Police Station - Kasba, District - Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vikram Singh, Advocate

For the Opposite Party/s : Mr. Jitendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 10-01-2023 Heard learned counsel for the petitioners and the State.

The petitioners are apprehending arrest in connection with Kasba P.S. Case No. 94 of 2022 under sections 341, 323, 354 (B), 506/34 of the Indian Penal Code.

As per the prosecution story, the allegation against the petitioners is/are that while petitioner no.1 pushed the informant on the ground, the petitioner no.2 Md. Rihan not only tried to outrage the modesty of the girl but also torn her clothes and tried to rape her. Upon her alarm when the other family members came whereafter, they left the place but not before threatening them.



Considering the kind of accusation that has come against the petitioner no.2 Md. Rihan, this Court is not inclined to grant him any relief. His prayer for anticipatory bail is rejected.

So far as the petitioner no.1 is concerned, there is only allegation of pushing the informant on the ground and further he is a young boy and do not have any criminal antecedent, this Court is inclined to grant him relief.

Let the petitioner no.1MD. ISTKHAR @ ISTKHAR be released on bail, in the event of his arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Purnea, in connection with Kasba P.S. Case No. 94 of 2022 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Rajiv Roy, J)

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