

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2014 of 2015

Arising Out of PS.Case No. -36 Year- 2014 Thana -LAKHISARAI District- LAKHISARAI

- =====
1. Chintu @ Chandan Srivastava
 2. Dipu Srivastava
 3. Ravi Srivastava All sons of Shankar Srivastava @ Maha Shankar Pd. Sirvastava of Village - Hakimganj (Kuli R.S.), P.S. and District - Lakhisarai. Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Jainendra Kumar

For the Opposite Party/s : Mr. Nityanand(App)

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CORAM: HONOURABLE MR. JUSTICE SAMARENDRA PRATAP SINGH
ORAL ORDER

6 03-07-2015

Prayer for withdrawal of anticipatory bail petition of

petitioner no.1 is allowed as he has already been arrested and later on released on regular bail.

Heard the parties in respect of petitioners no.2 and 3 who apprehend their arrest in a case under sections 341,323,352,380,342 and 376 IPC on the allegation that all the three petitioners abducted and committed rape on the victim, who managed to escape somehow after six months.

The petitioners submit that the woman had eloped with petitioner no.1 on her own sweet will, which is also apparent from the Sanaha dated 16.11.2012 filed by her husband Bhushan Sharma. Furthermore, it is improbable that all the petitioners who happen to be brothers, would commit rape together.

In the facts and circumstances of the case, in the event

of surrender, let petitioners no.2 and 3, namely, Dipu Srivastava and Ravi Srivastava, be released on bail on furnishing bail bond of Rs.5,000/- each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Lakhisarai in Lakhisarai Police station Case No. 36 of 2014.

(Samarendra Pratap Singh, J)

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