

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15809 of 2015

Arising Out of PS.Case No. -15 Year- 2014 Thana -MAHILA P.S. District- ARRARIA

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1. Pappu Mehta @ Pappu Kumar Mehta S/o Jamun Mehta
 2. Shatrughan Mehta @ Shatrughan Kumar Mehta S/o Mahabir Mehta
Both residents of Village- Kurwa Laxmipur, P.S.- Simraha, District-
Araria

.... Petitioners

Versus

1. The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Anil Prasad Singh

For the Opposite Party : Mr. Gopesh Kumar (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 04-05-2015

Heard learned counsels for the petitioners

and the State.

Petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 376, 506/34 of the Indian Penal Code.

The accusation is of committing rape by petitioner No. 1 when petitioner No. 2 made attempt to commit rape. This fact has been stated by the informant in her 164 Cr.P.C statement where she got her age recorded about 18 years where she also alleged that petitioner No. 1 promised to marry.

It is submitted by learned counsel for the petitioners that now the petitioner No. 1 has married with the informant and both are residing together.

Considering the aforesaid facts, let the

petitioners, above named, in the event of their arrest or surrender before the Court below within a period of 12 weeks from today, be released on provisional anticipatory bail for three months on furnishing bail bond of Rs. 10,000/-(ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Araria in connection with Araria Mahila P.S. Case No. 15 of 2014, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

Let learned Court below record the statement of the informant and if she admits that she has married with petitioner No. 1 and they are residing together then the provisional bail of the petitioners will be confirmed by learned Court below. But, if the informant denies to have performed marriage with petitioner No. 1 then the petitioners shall surrender and prayer for regular bail.

Shageer/-

(Dinesh Kumar Singh, J)

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