

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.28775 of 2015

Arising out of PS.Case No. -33 Year- 2015 Thana -KARJA District- MUZAFFARPUR

1. Kailash Devi, Wife of Late Shankar Rai.
2. Meena Kumari, Wife of Pramod Kumar. Both residents of Village Marwan, P.S. Karza, District Muzaffarpur..

.... Petitioners

Versus

The State of Bihar.

.... Opposite Party

Appearance :

For the Petitioners : Mr. Nachiketa Jha, Advocate.

For the Opposite Party : Mr. Ram Shankar Das (Spl.Pp)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 23-07-2015 The petitioners are apprehending their arrest in connection with Karja P.S. Case No. 33 of 2015 for the offences instituted under Sections 313, 376/34 of the IPC and 3(1)(x) of the SC/ST (Prevention of Atrocities) Act).

Heard learned counsel for the petitioners and learned counsel for the State.

It is alleged that one Mukesh Kumar Prabhakar son of petitioner no. 1 established physical relationship with the informant on the pretext of marriage when she got pregnancy her pregnancy was terminated by Mukesh Kumar Prabhakar, petitioners and other accused persons and later on Mukesh Kumar Prabhakat refused to marry the informant.

It has been submitted on behalf of the petitioners that the present prosecution is a malafide prosecution. It is further submitted that there is no allegation of commission of rape as far as these two petitioners are concerned. It is further submitted that the petitioners are ladies. It is further stated that the petitioners have got no criminal antecedent.

On behalf of the State it has been submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners above named, be released on bail in the event of their arrest or surrender before the learned court below within a period of six weeks from today in connection with Karja P.S. Case No. 33 of 2015 on furnishing bail bond of Rs. 10,000/-(Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned S.D.J.M. (West), Muzaffarpur, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)