

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49249 of 2014

Arising Out of PS.Case No. -76 Year- 2013 Thana -RAMGARHWA District-
EASTCHAMPARAN(MOTIHARI)

- =====
1. Motiur Rahman @ Sibali Son of Seikh Wadood
 2. Sk. Moinuddin Son of Motiur Rahman, Both are resident of Village - Adhkaparia, P.O-Adhkaparia, P.S. Ramgarhwa, Distt- East Champaran

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Pravin Kumar, Advocate.

For the Opposite Party : Mr. Satyendra Prasad (App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 21-05-2015 Heard both sides.

The petitioners apprehend their arrest in Ramgarhwa P.S. Case No. 76 of 2013, registered for the offences punishable under Section 376 and other Sections of the Indian Penal Code and Section 27 of the Arms Act.

The prosecutrix made allegation that Samse Alam, Jiyaullah and Reyazuddin came inside her house and Samse Alam committed rape with her. Samse Alam was apprehended, but other accused persons fled away. It is alleged that the petitioners and others went there and assaulted the inmates of the house. The petitioners are alleged to have assaulted Ramita Devi wife of Sanjay Mahto. Rina Devi got simple injury. The supervising

authority found the allegation of rape false.

It is submitted that the occurrence took place due to land dispute.

Considering the facts aforesaid, the petitioners above named, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, are directed to 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 the Learned Sub-Divisional Judicial Magistrate, Raxaul at Motihari in Ramgarhwa P.S. Case No. 76 of 2013, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Prabhat Kumar Jha, J.)

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