

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45197 of 2014

Arising Out of PS.Case No. -267 Year- 2014 Thana -MOHANIA District-
BHABHUA (KAIMUR)

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1. Ravi Jaiswal Son of Uma Jaiswal
2. Golu Srivastava Son of Anil Lal Srivastava Both resident of Village +
P.S. - Mohania, District - Kaimur (Bhabua).

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vinod Kumar Seth, Adv.

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

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 14-05-2015

Heard both sides.

The petitioners apprehend their arrest in Mohania P.S.

Case no. 267 of 2014, registered for the offences punishable under
Sections 376/511 and other Sections of the Indian Penal Code and
3(1)(x) of SC/ST (POA) Act.

The prosecutrix made allegation that she is residing in
the house of the petitioner no. 1 as a tenant. Petitioners knocked
the door and made attempt to commit rape with her.

Submission is that the prosecutrix is a quarrelsome
lady. She some how took the house of the petitioner no. 1 on rent
but even after request she did not vacate the room nor pay the rent.
The mother of petitioner no. 1 filed a case that the

prosecutrix picked up quarrel with her and did not pay rent vide Mohania P.S. Case no. 268/2014 against the informant. Prior to that an informatory petition was filed vide Annexure-II.

It is further submitted that the informant is in the habit of filing cases of different nature. She filed few cases under Section 376 vide Patna Sadar Mahila P.S. Case no. 32 of 2014, Mohania P.S. Case no. 123/2014 against Sudhir Kumar Bharti and many other cases as mentioned in paragraph 9 of the case diary.

Having considered the facts that the prosecutrix appears to be in the habit of filing of such cases and she is the tenant in the house of the petitioner no. 1, 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 anticipatory bail 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, Bhabhua (Kaimur) in connection with Mohania P.S. Case No. 267/14, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Prabhat Kumar Jha, J.)

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