

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23588 of 2015

Arising Out of PS.Case No. -116 Year- 2014 Thana -GOVINDPUR District- NAWADA

- =====
1. Shobha Devi W/o Mahendra Paswan
 2. Jaspal Paswan S/o Mahendra Paswan Both are resident of village Tetariya P.S. Gobindpur District Nawada.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Uday Kumar

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

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 06-07-2015

Heard learned counsel for the petitioners and learned

A.P.P. for the State.

The petitioners are apprehending their arrest in Govindpur P.S. Case No. 116 of 2014 registered under sections 493, 376, 34 of the Indian Penal Code.

Prosecution case, in short, is that one Shishupal Paswan took away the informant from her house on the pretext of marry with her and has been committing rape with her. However the informant fled away from the clutch of Shishupal and came to her house Tetariya and narrated the entire story to her mother and when her mother carrying her to P.S, concerned, in the way the mother of Shishupal, namely, Shobha Devi and brother Jaspal Paswan threatened of dire consequences but however, the informant and her mother went to P.S. concerned and gave written application to the P.S. concerned.

It has been submitted on behalf of the petitioners that

petitioners have no criminal antecedent. From perusal of the first information report it appears that the allegation of committing rape is against Shishupal Paswan. It is further submitted that so far as the petitioners are concerned, it is said that they have advised the informant not to institute the case. Except this there is no other allegation against the petitioners.

On behalf of the State it is submitted that the petitioners are named in the first information report.

Considering the fact that there is specific allegation of committing the rape against Shishupal Paswan, the above named petitioners in the event of their arrest or surrender before the court below within a period of four week from the date of receipt/production of a copy of this order are directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Nawada in Govindpur P.S. Case No. 116 of 2014, subject to the conditions laid down under section 438(2) Cr.P.C.

(Sudhir Singh, J)

M.Rahman/-

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