

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7782 of 2015

Arising Out of PS.Case No. -1275 Year- 2012 Thana -COMPLAINT CASE District- JAMUI

- =====
1. Dhaneshwar Das, Son of Baiju Das
 2. Om Prakash Das, Son of Bholu Das,
Both Resident of Village - Bhojaha, P.S. - Laxmipur, District - Jamui.
 3. Mathura Das, Son of Late Khakha Das, Resident of Village - Dighra, P.S.
- Laxmipur, District - Jamui.

.... Petitioner/s

Versus

1. The State of Bihar
2. Sanju Devi, W/O Ramesh Das, Village-Bhojha, P.S. Barhat, Distt.
Jamui.

.... Opposite Party/s

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Appearance :

For the Petitioner	: Mr. Satya Prakash Parasar, Advocate
For the State	: Mr. Nand Kumar(APP)
For the Informant	: Mr. Abhishek Anand, Advocate Mrs. Madhuri Kumari, Advocate

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 20-05-2015 Heard learned counsel for the petitioner, learned
counsel for the informant and learned counsel for the State.

The petitioners are apprehending their arrest in connection with Complaint Case No.1275(C)/2012 for allegedly having committed the offences under Sections 354, 323 and 452 of the Indian Penal Code.

Submission of the petitioners is that the informant's case is out and out a falsity and she is in the habit of lodging false allegations of similar nature. It is submitted that the petitioners had been falsely implicated because of earlier dispute

between themselves and only to wreck vengeance on the petitioners.

Learned counsel for the informant submits that a perusal of paragraph 3 of the petition clearly reveals that petitioner no.3 Mathura Das is a habitual offender for having committed the offence under Section 376 of the Indian Penal Code. It is submitted by the learned counsel for the informant that the complainant has been subjected to rape by these petitioners in the presence of her children and in the complaint petition also they have fully supported the case.

Considering the nature of the allegations made against these petitioners and also the criminal antecedents, I am not inclined to grant anticipatory bail to the petitioners. The criminal miscellaneous application is, accordingly, dismissed.

(Anjana Mishra, J)

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