

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5822 of 2015

Arising Out of P.S. Case No. -14 Year- 2014 Thana -MAHILA P.S. District- MADHEPURA

1. Birendra Paswan, Son of Janardan Paswan
2. Ranjeet Kumar, Son of Raj Kumar Yadav
Both resident of Village - Madhuwan, P.S. Madhepura (Bharrahi), District -
Madhepura

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance:

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA

ORAL ORDER

2 11-02-2015 Heard both sides.

The petitioners apprehend their arrest in a case registered under Sections 376/34 of the Indian Penal Code and Section 4 of the Protection of Children from Sexual Offence Act, 2012.

Dashrath Mukhiya, the informant, alleged that his minor daughter was forcibly taken into a bush and Ranjeet Kumar, petitioner no. 2, committed rape with her. Bijendra Paswan and Biren Paswan (petitioner no. 2) were keeping watch with pistol.

Learned counsel for the petitioner submits that after some time of lodging of the aforesaid case, Dasrath Mukhiya again lodged Madhepura P.S. Case No. 335 of 2014 under Sections 363, 366(A), 34 of the Indian Penal Code against the

petitioners and others. The victim made her statement under Section 164 Cr.P.C. wherein she disclosed that she was married with Ranjeet Kumar.

On perusal of the record, it appears that there is a very specific allegation against Ranjeet Kumar, petitioner no. 2, that he committed rape with the victim and Birendra Paswan, petitioner no. 1, armed with a weapon, was having watch at the same place.

Considering the facts aforesaid, I am not inclined to enlarge the petitioners on anticipatory bail in Madhepura Mahila P.S. Case No. 14 of 2014. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J)

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