

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48129 of 2014

Arising Out of PS.Case No. -34 Year- 2014 Thana -AADAPUR District-
EASTCHAMPARAN(MOTIHARI)

- =====
1. Taichun Shekh Son of Noorullah Shekh
 2. Mahtab Sekh Son of Zabiullah Shekh
 3. Hatim Sekh Son of Kalimullah All are resident of village- Harkatwa,
P.S.- Adapur, District- East Champaran

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Anil Kumar, Advocate.

For the Opposite Party : Mr. Rajendra Singh Shastri Ji(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 16-12-2015 Heard both sides.

The petitioners apprehend their arrest in a case registered for the offences punishable under Section 376 and other Sections of the Indian Penal Code.

The informant made allegations that the petitioners entered into her house and committed rape with her.

It is submitted that there is a counter version. From the side of the informant another case was lodged in which the petitioners were granted anticipatory bail, thereafter, this case has been lodged. Now, the case has been compromised and a compromise petition is filed. It is further submitted that the victim has not supported her case in her further statement.

It appears that the victim has made very specific allegation in her fardbeyan. Considering the nature of allegations made against the petitioners, I am not inclined to enlarge the petitioners above named on anticipatory bail. Accordingly, the same is rejected.

However, the petitioners, if so advised, may surrender before the court below within four weeks from the date of receipt/production of a copy of this order and pray for regular bail, their prayer shall be considered on its own merit without being prejudiced by this order taking into consideration that the case has been compromised and dispose of the same preferably on the same day.

(Prabhat Kumar Jha, J.)

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