

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23432 of 2015

Arising Out of PS.Case No. -188 Year- 2012 Thana -GHANSHYAMPUR District- DARBHANGA
=====

1. Sri Ram Paswan Son of Dular Chandra Paswan
2. Ram Babu Yadav Son of Suresh Yadav Both are resident of village -
Pakahi, Police Station - Kusheshwar Asthan, District - Darbhanga

.... Petitioners

Versus

The State of Bihar

.... Opposite Party
=====

Appearance :

For the Petitioners : Mr. Girish Chandra Jha, Advocate.

For the Opposite Parties : Mr. Satyendra Nr. Singh (App)
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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 09-07-2015 Heard both sides.

The petitioners apprehend their arrest in Ghanshyampur
P.S. Case No. 188 of 2012, registered for the offences punishable
under Section 366A and other Sections of the Indian Penal Code.

The informant named the petitioners Sri Ram Paswan
and Ram Babu Yadav and alleged that they have kidnapped his
daughter and raped her.

It is submitted that the victim did not disclose the name
of petitioner no. 2 Ram Babu Yadav in her statement under
Section 164 of the Cr.P.C.

Considering the facts aforesaid and the fact that name
of both the petitioners appears in the FIR and disclosed by the eye
witness of the occurrence who happens to be non-else than

maternal aunt of the victim and the victim made her statement under Section 164 Cr. P.C. and she alleged that both the accused persons have raped with her, 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 and their prayer shall be considered on its own merit without being prejudiced by this order.

(Prabhat Kumar Jha, J.)

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