

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25763 of 2015

Arising Out of PS.Case No. -306 Year- 2014 Thana -RAXAUL District-
EASTCHAMPARAN(MOTIHARI)

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1. Chandra Bhushan Trivedi S/o Late Jagat Narain Trivedi
2. Manorama Trivedi W/o Chandra Bhushan Trivedi, Both are resident of
Village- Phulkahan, P.S.- Shyampur, District- Sheohar,
..... Petitioner/s

Versus

1. The State of Bihar
..... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar
For the Opposite Party/s : Mr. J.N.Thakur(App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 14-07-2015 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners apprehend their arrest in a case registered
under sections 376, 386/34 of the Indian Penal Code and section 6 of the
POCSO Act.

Prosecution case, in brief is that the informant Shikha
Mishra gave her written application to the S.H.O. Raxaul P.S. alleging
therein that she is 23 years and resident of Birganj and her Mausi Smt. Simar
Devi lives at Raxaul and used to go there. In the year 2008 her Mause and
Mause gone at Allahabad and in their absence she resides at the house of her
Mause and Mause for better observation of children. In the meantime while
all of the accused persons arrived at the house of her Mause and Mause and
reside and in that course co-accused Rajnish Trivedi committed rape with her
and on objection the petitioners have threatened her. Rajnish Trivedi has
prepared video cassette of sexual relation and after returning her Mause and

Mausi she back to Birganj and after since in the year 2009 to 2012 she resides at Kolkatta Bbusiness School of Media and at that very place Rajnish Trivedi has also committed rape with her and pressurized her for marriage and after refusal of marriage the said Rajnish Trivedi extorted Rs. 5 lac. It is further alleged that her marriage was fixed in U.S.A. where the said Rajnish Trivedi send the video of sexual activities due to which he marriage was lost down.

It has been submitted on behalf of the petitioner that main allegation is against one Rajnish Trivedi. It is further submitted that so far as the petitioners are concerned, they are father and mother of the said Rajnish Trivedi and for the said reasons they have been falsely been implicated in the present case. It is further submitted that there is no specific allegation made against the petitioners.

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

Considering the aforesaid facts the above named petitioners in the vent of their arrest or surrender before the court below within a period of four weeks from the date of receipt /production of a copy of this order is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned S.D.J.M. Raxaul at Motihari, East Champaran in Raxaul P.S. Case No. 306 of 2014, subject to the conditions as laid down under section 438(2) Cr.P.C.

(Sudhir Singh, J)

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