

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2921 of 2015

Arising Out of PS.Case No. -104 Year- 2014 Thana -JHANJHARPUR District- MADHUBANI

- =====
1. Md. Jakir @ Bauka Son of Bechan Kujra
 2. Sonu Choudhary Son of Pahari Choudhary Both are residents of Village - Jhanjharpur, Police Station - Jhanjharpur, District Madhubani.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Prasad, Advocate.

For the Opposite Party/s : Mr. Dr.Rabindra Kumar(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 20-03-2015 Heard both sides.

The petitioners seek bail in Jhanjharpur P.S. Case No. 104 of 2014, registered for the offences punishable under Section 376 and other Sections of the Indian Penal Code.

The informant alleged that both the petitioners entered into her house on 27.04.2014 and committed rape with her one by one.

Learned counsel for the petitioners submits that the date of occurrence is 27.04.2014, but the FIR was lodged on 01.06.2014. There is inordinate delay in lodging the case and this creates reasonable doubt. It is further submitted that the informant is a maid servant of one Tar Babu and on his instance the case is lodged.

From perusal of the records it appears that the victim went to the police station on 28.04.2014 and narrated her story, but the police did not register the case. The informant again went to the police station but she was driven out from there. Thereafter she gave a petition to the S.P. on such the present case was registered. There is specific allegation that the petitioners committed rape with the prosecutrix one by one.

Considering the facts aforesaid, I am not inclined to enlarge the petitioners above named on bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J.)

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