

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.34155 of 2015**

Arising Out of PS.Case No. -1981 Year- 2010 Thana -GAYA COMPLAINT CASE District- GAYA

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1. Deepu Kumar @ Ravi Bhushan Kumar Son of Ram Naresh Singh  
Resident of Mahadeo Bigha, P.S. Belaganj, District - Gaya, Bihar

2. Santosh Kumar Son of Siya Ram Sharma Resident of Sherpur, P.S.  
Belaganj, District - Gaya, Bihar

.... .... Petitioner/s

Versus

1. The State of Bihar

2. Pooja Kumari W/o Upendra Singh Resident of Jardaag, P.S.  
Kathkamasandi, District - Hazaribagh, Jharkhand

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Sudha Chandra

For the Opposite Party/s : Mr. M.K.Nirala(App)

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH**

**ORAL ORDER**

2      14-08-2015                      Heard learned counsels for the petitioners and the State.

The petitioners are apprehending arrest in a complaint case wherein process has been directed to be issued after cognizance being taken under sections 379 and 354/34 of the Indian Penal Code though the complaint was filed with accusation under section 376(2)(G) and 379 IPC.

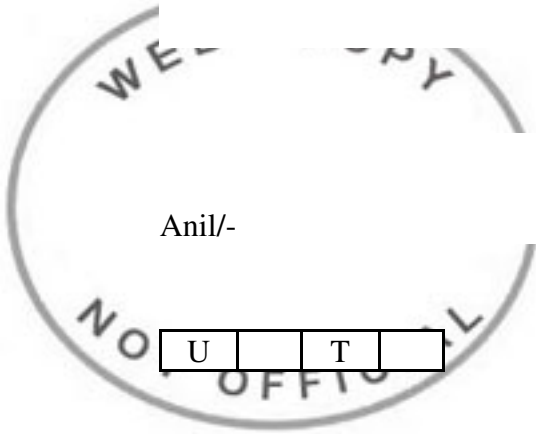
The prosecution case is that one Vakil Singh took loan of rupees one lac from the complainant and when part of the loan amount was not being returned, the complainant went to complain before the Panchayat Mukhia then Siya Ram Singh and

Ram Naresh Singh ravished her and subsequently the petitioners took the victim to drop between Chakunda and Gaya and snatched jewellery.

It is submitted by the learned counsel for the petitioners that the accusation under section 376 (2)(G) IPC has not been found to be prima facie true by the learned Magistrate. More over, the petitioners' family is on litigating terms with one Uma Shankar Singh and said Uma Shankar Singh is said to be the person who set up the complainant who is a fictitious lady and Pintu Singh, son of Uma Shankar Singh is witness in the present complaint. It is further submitted that Title Suit No. 12 of 2011 is pending between wife of Uma Shankar Singh and the petitioners' family. Apart from that, there are other criminal cases pending between the parties.

Considering the fact that the complaint was filed in 2010 and cognizance was taken in 2011, this court is not inclined to grant anticipatory bail to the petitioners but on merits it is a case for consideration of the prayer for regular bail of the petitioners by the learned court below in case the petitioners surrender within six weeks from today in connection with Complaint Case No. 1981 of 2010/ Tr. No. 1639 of 2011 pending in the court of learned SDJM, Gaya.

This application is disposed of with the  
aforesaid observation/direction.



**(Dinesh Kumar Singh, J)**