

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6517 of 2016

Arising Out of PS.Case No. -307 Year- 2015 Thana -SUGAULI District-
EASTCHAMPARAN(MOTIHARI)

- =====
1. Sajid @ Md. Sajid S/o Late Sk. Israil
 2. Raju S/o Late Sk. Sahur, Both residents of village- Bela, P.S.-
Ramgarhwa, District- East Champaran

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Chandra Bhushan Das, Adv.

For the Opposite Party/s : Mr. Sadanand Paswan (Spl.Pp)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 11-02-2016 Heard learned counsels for the petitioner and the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 365, 366A, 376(2-N) of the Indian Penal Code and Section 3 (I) (xi) (xii), 2 (v) of the SC/ST (Prevention of Atrocities) Act and Section 5(G) of The Protection of Children from Sexual Offences Act.

The prosecution case is that on 05.08.2015 in the morning co-accused Ladan informed the informant on phone that her husband had sent money from Kerala and caller her to receive the same at Ramgarhwa market. Subsequently the informant along her niece Rabita Devi and sister Gita Kumari reached the Ramgarhwa market from where the informant was being

kidnapped by a bolero vehicle where she found that three persons namely Chandhan Kuar, petitioner no.1 Sajjid and petitioner no.2 Raju sitting in the vehicle. The informant was ravished by co-accused Ladan and after being released on the next day of occurrence, the victim lodged the written report.

It is submitted by learned counsel for the petitioners that petitioners neither called the victim nor there is accusation of ravishing the victim against the petitioners.

Learned Special Public Prosecution submits that during investigation, the complicity of the petitioners also surfaced.

Considering the nature of accusation, this Court is not inclined to grant anticipatory bail to the petitioner.

Let the learned court below consider the prayer for regular bail of the petitioners if they surrender within a period of six weeks in connection with Sugauli P.S. Case No. 307 of 2015 pending in the court of learned CJM, East Champaran, Motihari.

Accordingly, the application is disposed of.

(Dinesh Kumar Singh, J)

Amrendra/-

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