

Arising Out of PS.Case No. -1805 Year- 2015 Thana -VAISALI COMPLAINT CASE District-
VAISHALI(HAJIPUR)

.... Petitioner/s

1. The State of Bihar
2. Rubi Devi Wife of Sri Arun Rai Resident of Village- Daruapatti, P.S.- Patepur, District- Vaishali

Appearance :

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

Petitioners apprehend arrest in connection with Complaint Case No. 1805/15 for offences alleged under Sections 323, 376/34 and 379 of the Indian Penal Code.

The allegation made in the complaint is that petitioners committed rape with the complainant in a mango orchard when she was going to attend the call of nature. They also snatched gold ornaments of the complainant.

It has been submitted by the learned counsel



for the petitioners that they are innocent and have falsely been implicated in the aforesaid case. He submits that both sides are inimical to each other due to some land dispute and three complaint cases have been filed by the petitioners against the complainant and in order to circumvent and counter those cases, the false allegation has been made against these petitioners. He further submits that the parties have entered into a compromise and that the petitioners have no criminal history, as is evident from paragraph 3 of this petition.

Learned counsel for the complainant, however, submits that only summons have been issued against the petitioners, hence, no ground for anticipatory bail is made out.

Learned APP for the State submits that there is specific allegation against the petitioners, hence, opposes the prayer for bail.

Considering the facts and circumstances of the case, let petitioners surrender in the court of Sri Umesh Prasad, learned J.M. 1st Class, Vaishali at Hajipur in connection with Complaint Case No. 1805/2015 within a period of six weeks from today and apply for regular bail and the learned court below will take into consideration the allegation of previous enmity and decide the matter on its own merit preferably on the

same day.

This application is, accordingly, disposed of.

(Nilu Agrawal, J.)

