

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1862 of 2016

Arising Out of PS.Case No. -52 Year- 2015 Thana -SARAN GRP CASE District- SARAN

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1. Satyendra Kumar Chaudhary Son of Yogendra Chaudhary
 2. Yogendra Chaudhary Son of late Lal Chaudhary.
 3. Janki Devi@Bhagrasan Devi Wife of Sri Yogendra Chaudhary

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Udai Shankar Singh, Advocate

For the Opposite Party/s : Mr. S.N.Shukla(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 15-01-2016 Heard learned counsels for the petitioners and the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 328/376 of the Indian Penal Code.

It is alleged that on 05.06.2015 while the informant was coming from Delhi with her mother through train, someone abducted her by putting some sedative material on her when she went to take water at Chapra Junction and thereafter ravished her. Subsequently, the informant identified the person as petitioner no.1 Satyendra Choudhary, who kept the informant at Bhatinda

Rajkot (Punjab) and phoned his parents to get the marriage of the informant solemnized with him.

It is submitted by learned counsel for the petitioners that for the occurrence 06.05.2015, the complaint was filed on 10.07.2015 which came to register as police case on 08.09.2015. Moreover, no offence is made out against petitioner nos. 2 and 4 under sections 328/376 IPC and simply they being parents of petitioner no.1, roped in the present case.

Considering the thrust of accusation against petitioner no.1, this Court is not inclined to grant anticipatory bail to him.

Let the learned Court below consider the prayer for regular bail of petitioner no.1, if he surrenders within a period of six weeks.

With the above observation, this application so far as it relates to petitioner no.1 is accordingly, disposed off.

So far as petitioner nos. 2 and 3 are concerned as no offence under sections 328/376 IPC is made out against them, let them be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Railway Judicial Magistrate, Sonapur,

Saran in connection with Chapra Rail P.S. Case No.52/2015,
subject to the conditions as laid down under Section 438(2)
Cr.P.C.

(Dinesh Kumar Singh, J)

Ashwini/-

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