

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9612 of 2016

Arising Out of PS.Case No. -19 Year- 2015 Thana -KALUAHI District- MADHUBANI

- =====
1. Arbind Yadav @ Arbind Kumar Yadav, son of Ram Ashish Yadav.
 2. Laloo Yadav @ Lalu Kumar Yadav, son of Ram Ashish Yadav.
Resident of Laxmipur, P.S.- Kaluahi, District- Madhubani

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL ORDER

2 11-04-2016

Heard learned counsel for the petitioners and the learned
A.P.P. for the State.

The petitioners apprehends their arrest in connection with
Kaluahi P.S. Case No.19 of 2015/G.R. No.556 of 2015 registered
under Sections 376 and 511/34 of the Indian Penal Code, pending
in the court of Shri Atul Veer Singh, Judicial Magistrate, First
Class, Madhubani.

The accusation against the petitioners is that they entered
at the courtyard of the house of the informant and tried to commit
rape on her. On 'hulla' being raised by her, the neighbours rushed
and she was saved by them. When the Panchayati was arranged
after returning the mother-in-law of the informant, at that that

time, the petitioners assaulted the mother-in-law of the informant with fists and slaps and petitioner no.2 with a bad intention unfolded the Saree of the mother-in-law of the informant.

Learned counsel appearing on behalf of the petitioners submits that after filing of the present F.I.R., the informant also filed complaint petition, but she has not detailed about lodging of the F.I.R. in the complaint petition.

From perusal of the complaint petition, it appears that she has stated in the complaint petition that she had given the written report to the police to lodge the case but the case has not been lodged.

Having considered the facts and the circumstances of the case and the nature of allegation against the petitioners, I am not inclined to grant anticipatory bail to the petitioners. Accordingly, the prayer of the petitioners for grant of anticipatory bail stands rejected. However, the petitioners are directed to surrender before the trial court within four weeks from today and pray for regular bail, which shall be considered by the trial court on its own merit without being prejudiced by the order of this Court.

(Rajendra Kumar Mishra, J)

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