

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16014 of 2016

Arising Out of PS.Case No. -50 Year- 2015 Thana -MAHILA P.S. District- MADHUBANI

1. Dev Sharan Bhandari
2. Raju Bhandari
Both Sons of Late Jagat Bhandari Resident of Village - Atrauli, P.S. -
Arer, District - Madhubani

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioners : Mr. Ravindra Kumar Singh, Advocate

For the State : Mr. Sanjay Kr.Panday, APP

CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN
ORAL ORDER

2 23-05-2016 I have heard learned counsel for the petitioners and the

State.

The petitioners apprehend their arrest in a case registered
for offences punishable under Sections 376 and 34 of the Indian
Penal Code.

It is contended that the allegation of rape is upon
the son of petitioner no. 1, namely, Dipak Kumar Bhandari, and
not on the petitioners. It has been alleged in the First Information
Report that in the night of 15/16. 7.2015 at about 2 AM the son of
the petitioner no. 1, namely, Dipak Kumar Bhandari, entered into
the house of the informant and committed rape. However, he
assured that he will marry her but the mother and family members

of the informant caught hold of him, however, he was taken away by the petitioners and a Panchayati was fixed on 22.7.2015 where petitioners did not agree and at their instigation Dipak Kumar Bhandari fled away. It is further contended that there is delay of about 9 days in lodging First Information Report and allegation of rape is not against the petitioners.

Having regard to the facts and circumstances of the case, let the petitioners, namely, Dev Sharan Bhandari and Raju Bhandari be released on bail in the event of arrest/surrender before the court below within a period of six weeks from today in Mahila Thana P.S. Case No. 50 of 2015, on furnishing bail bond of Rs.10,000 (Ten Thousand Rupees) each with two sureties of the like amount each to the satisfaction of Sub Divisional Judicial Magistrate, Madhubani subject to the conditions as laid down under sub-section(2) of Section 438 of the Code of Criminal Procedure.

(Dr. Ravi Ranjan, J)

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