

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29861 of 2016

Arising Out of PS.Case No. -594 Year- 2014 Thana -GOPALGANJ COMPLAINT CASE District-
GOPALGANJ

- =====
1. Sujit Singh
 2. Sumit Singh @ Sumit Kumar
- Both sons of Biraj Singh @ Brajraj Singh
3. Upendra Singh, s/o Jang Bahadur Singh, All three r/v- Trilokpur, p.s – Uchkagaon, Distt – Gopalganj
 4. Bipin Singh s/o Yodha Singh, r/v – Barhara, P.s – Gopalpur, Distt – Gopalganj

.... Petitioner/s

Versus

1. The State of Bihar
2. Sumitra Devi w/o Bijesh Singh, r/v – Trilokpur, p.o-Trilokpur, p.s.- Uchkagaon, Distt - Gopalganj

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raghav Prasad, Adv.

For the Opposite Party/s : Mr. Md. Fahimuddin, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

2 08-09-2016 Heard both sides.

The petitioners apprehend their arrest in Complaint Case No. 594/2014, Trial No. 2423/16 registered for the offences punishable under Sections 323, 354 of the Indian Penal Code.

The complainant alleged that while she had gone to attend the call of nature Sujit Singh petitioner no. 1 took her in his lap and went towards Chawar in order to commit rape with her, but the complainant raised alarm, on such, other accused persons came and assaulted the complainant and snatched different articles.

Learned counsel for the petitioners submits that one Manju Devi neighbour of the petitioners lodged Gopalganj

S.C./S.T. P.S. Case no. 09/2014 in which Brajraj Singh father of petitioner no. 1 and 2 is the witness. In the aforesaid case Manju Devi made allegation against Bharat Bhagat, Chotai Bhagat sons of Ramayan Bhagat and Parmanand who is the cousin father-in-law of the complainant.

It is submitted that petitioner no. 1 and petitioner no. 2 are well qualified; one is engineer and another is M.SC in Ist Class. It is further submitted that the petitioners also filed quashing of cognizance bearing no. Cr. Misc. 34628/2014 in which notices were issued to the complainant.

Considering the facts aforesaid and the fact that there is enmity from before, the petitioners above-named, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of Sub-Divisional Judicial Magistrate, Gopalganj in connection with Complaint Case No. 594/2014 Trial No. 2423/16, subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

(Prabhat Kumar Jha, J.)

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