

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27947 of 2016

Arising Out of PS.Case No. -52 Year- 2016 Thana -BHANGWANPUR HAT District- SIWAN

1. Urmila Devi, W/o Kashinath Prasad
2. Babita Kumari, D/o Kashinath Prasad
3. Kashinath Prasad, Son of Late Ram Janam Prasad, All are Residents of
Village- Barkagaon, P.S. - Bhagwanpur Hat, District- Siwan

.... Petitioners

Versus

1. The State of Bihar

.... Opposite Party

Appearance :

For the Petitioners : Mr. Ashok Kumar, Adv.

For the Opposite Party : Mr. Sanjay Kumar, APP 127

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR

JHA

ORAL ORDER

2 02-09-2016

The learned counsel for the petitioners submits that petitioner no. 3, Kashinath Prasad, had already been arrested.

Accordingly, prayer for anticipatory bail on his behalf is dismissed as has become infructuous.

Heard the learned counsel for the petitioners 1 and 2, namely, Urmila Devi and Babita Kumari, and the learned Additional Public Prosecutor.

The petitioners apprehend their arrest in Bhagwanpur Hat P.S. Case No. 52 of 2016 under Sections 323, 366, 354, 376 and 34 of the Indian Penal Code.

The informant filed complaint case alleging therein that Pintu Kumar enticed her from her house on 28.01.2016 and brought her to railway station where his father, mother and sister were also present. They took her Delhi by a train and committed rape with her. She was brought to Siwan from Delhi and given to Bitu Kumar and Bitu Kumar also committed rape with her. When the complainant returned she filed complaint petition.

It appears that the petitioners are mother and sister of

Pintu Kumar. The complainant has not made any specific allegation against the petitioners.

Considering the nature of the case, petitioners 1 and 2, above named, in the event of their arrest or surrender, within four weeks from the date of receipt of this order, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (rupees ten thousand) each with two sureties of the like amount each in connection with the Bhagwanpur Hat P.S. Case No. 52 of 2016 to the satisfaction of the Chief Judicial Magistrate, Siwan, subject to the condition laid down under Section 438(2) of the Criminal Procedure Code.

(Prabhat Kumar Jha, J)

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