

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21681 of 2016

Arising Out of PS.Case No. -724 Year- 2014 Thana -COMPLAINT CASE District- JAMUI

- =====
1. Roushan Yadav @ Rohan Yadav @ Roshan Yadav Son of Late Lokhan Yadav
 2. Sobhi Yadav son of Late Darshan Yadav
 3. Bhola Yadav son of Late Bhopal Yadav All resident of Village- Belatanr, P.S.- Sono, District- Jamui.

.... Petitioner/s

Versus

1. The State of Bihar
2. Ranju Devi W/o Surendra Yadav, resident of Village- Belatanr, P.S.- Sono, District- Jamui.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ram Sumiran Rai

For the Opposite Party/s : Mr. Shailendra Kr.Singh(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

3 22-07-2016 Heard both sides.

The petitioners apprehend their arrest in Complaint case No. 724C/2014 under Section 376(G) of the Indian Penal Code.

The victim made allegation that when she had gone to attend the call of nature, the petitioners caught her and committed rape with her one by one.

The learned counsel for the petitioners submits that there is partition suit being Title Suit No. 26 of 1963 is pending between the parties and father-in-law of the victim filed complaint case No. 99 of 2014 against the family members of the petitioners

and due to land dispute the petitioners have falsely been implicated in this case.

Taking into consideration that the victim made very specific allegation that all the petitioners caught her and committed rape with her one by one, I do not feel inclined to enlarge the petitioners on anticipatory bail. Accordingly, the same is rejected.

If the petitioners surrender in the court below, i.e., learned A.C.J.M.-II, Jamui in complaint case No. 724C/2014, and pray for regular bail, the learned court below shall consider the prayer for regular bail of the petitioners on its own merit without being prejudiced from the order of this court.

(Prabhat Kumar Jha, J)

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