

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35202 of 2016

Arising Out of PS.Case No. -135 Year- 2012 Thana -SAHEBGANJ District- MUZAFFARPUR

- =====
1. Lalan Rai.
 2. Rajendra Rai, Both sons of Hari Shankar Rai, resident of Village- Roop Chapra, Police Station- Sahebganj, District- Muzaffarpur.

.... Petitioners

Versus

1. The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Pancham Lal Jaiswal

For the Opposite Party : Mr. Binod Kumar-3

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 21-10-2016 Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners seek bail in a case instituted under
Sections 458, 376 and 511 of the Indian Penal Code.

The prosecution case, in brief, is that when the
informant was sleeping in her room, she felt that somebody is
unfolding her clothes and somebody is catching her eyes then she
saw that the petitioner Lalan Rai is trying his best commit rape on
her by removing her clothes and the petitioner Rajendra Rai was
catching hold her both hands. Whereupon the informant raised
alarm then both the petitioners fled away giving threats.

It has been submitted on behalf of the petitioners that
the petitioners are in custody since 11.07.2016. The charge sheet

has been submitted in the present case. There is no allegation of tampering of witnesses alleged against the petitioners. The petitioners have falsely been implicated in the present case. In para-69, 70 and 71 of the case diary, it has been stated that there is admitted land dispute between the parties. The petitioners are the title holders of the land in question and the present case has been instituted at the instance of the husband of the informant.

On behalf of the state, it has been submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Muzaffarpur, in connection with Sahebganj P.S. Case No. 135 of 2012.

(Sudhir Singh, J.)

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