

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 54632 of 2015

Arising Out of PS.Case No. -191 Year- 2015 Thana -DIGHA District- PATNA

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1. Anil Kumar, Son of Sidheshwar Prasad Resident of Mohalla Vikash Nagar, Saidpur Kothia, Kurji Nala Par, P.S. Digha, District Patna.
 2. Bijendra Prasad Son of Harihar Prasad Resident of Village Govindpur Hardash Bigha Tola Par P.S. Bakhtiyarpur, District Patna.

.... Petitioners

Versus

The State of Bihar.

... Opposite Party

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Appearance :

For the Petitioners : Mr. Nitu Kumari
For the Opposite Party : Mr. B.M.P Sinha (APP)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 17-03-2016 Heard learned counsel for the petitioners and the State.

The petitioners are apprehending their arrest in connection with Digha P.S. Case No. 191 of 2015 instituted under Sections 376(2)(f) of the Indian Penal Code.

As per FIR the prosecution case is that both the petitioners entered into the room of informant on 24.06.2015, started assaulting her and committed rape upon her.

It has been submitted on behalf of the petitioners that the petitioners have falsely been implicated in the present case. Petitioner No.1 is the Dewar of the informant and Petitioner No2 is the maternal uncle of the informant. Prior to institution of the present case, the informant had instituted two cases for offence

under section 498A of the Indian Penal Code. From perusal of medical examination report as stated in para 29 of the case diary, it is evident that there is no sign of rape upon the informant.

On behalf of the State, it is submitted that petitioners are named in the FIR.

Considering the aforesaid facts and circumstances of the case, let the above named petitioners, in the event of their arrest or surrender in the court below within a period of six weeks from today, be released 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 Md. Inam Khan, learned Judicial Magistrate 1st Class, Patna in connection with Digha P.S. Case No. 191 of 2015, subject to the conditions as laid down u/s 438(2) Cr.P.C.

(Sudhir Singh, J.)

Rajiv/-

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