

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5815 of 2017

Arising Out of PS.Case No. -94 Year- 2016 Thana -MAHILA P.S. District- SIWAN

=====

1. Smt. Poonam Devi, Wife of Yogendra Rai
2. Aditya Rai @ Aditya Kumar Rai Son of Yogendra Rai
Both Residents of Village- Amarpur, P.S.- Darauli and District - Siwan.
..... Petitioner/s

Versus

The State of Bihar

..... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Utsav Kumar, Advocate.

For the Opposite Party/s : Mr. Indra Kumar Singh, APP.

=====

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR
ORAL ORDER

3 08-02-2017 Heard learned counsels for the petitioners and the

State.

The petitioners apprehend their arrest in connection
with Siwan Mahila P. S. Case No. 94 of 2016 instituted under
Sections 376, 313 and 316 of the Indian Penal Code.

The allegation, in brief, is that father of the informant
used to rape her repeatedly and when she disclosed this fact to her
mother, she abused and scolded and got her pregnancy terminated
and one day, her brother, petitioner no. 2, also made attempt for
sexual contact and outraged her modesty.

It is submitted that girl is suffering from mental
illness but the report annexed as Annexure-2 by the petitioner,
only indicates that she has been suffering from headache and
migraine.



Having considered the aforesaid facts and circumstances, prayer for anticipatory bail of the petitioners is rejected.

However, if so advised, the petitioners surrender and pray for regular bail before the court below, the same shall be considered on its own merits without being prejudiced by the present order.

(Arun Kumar, J)

Sujit/-

U			
---	--	--	--

