

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45725 of 2017

Arising Out of PS.Case No. -26 Year- 2017 Thana -BUXAR COMPLAINT CASE District- BUXAR
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1. Sunil Kumar, son of Vidya Sagar Singh @ Vidhya Sagar Singh, R/o village- Itaunha (Bachari Tola), P.S.- Sikraul, District- Buxar.
2. Rajkapoor Singh, son of Ramnath Singh, R/o village- Bhapkia @ Bhachakiya , P.S.- Itarhi, District- Buxar.

.... Petitioner/s

Versus

1. The State of Bihar
2. Sima Kumari, D/o Surendra Singh, R/o village- Itaunha, (Bachri Tola), P.S.- Sikraul, District- Buxar.

.... Opposite Party/s
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Appearance :

For the Petitioner/s : Mr. Rahul Nath, Advocate
For the Opposite Party/s : Mr. Braj Kishore Prasad, APP
Mr. Bachan Jee Ojha, Advocate
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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2/ 03-10-2017

Heard learned counsel for the petitioners and learned

APP for the State.

Petitioners apprehend their arrest in Complaint Case No.26-C of 2017 instituted for the offence under Section(s) 366-A, 376/34 Indian Penal Code pending in the Court of the Additional Chief Judicial Magistrate VI, Buxar.

As per Complaint Petition, the Complainant was taken to Rajkot by these petitioners and was raped by these petitioners. It is further alleged that parents of the Complainant informed Sunil Kumar on telephone that they are ready for their marriage and thereafter both these petitioners fled away after leaving the Complainant at Chausa Station. Solemn Affirmation



of the Complainant is available with Complaint Petition, wherein, she has fully supported the case and levelled specific allegation of committing rape with her by these two petitioners.

It has been submitted by the counsel for the Complainant-Opposite Party No.2 that the girl is minor and there is allegation that these two petitioners committed rape with her.

In such circumstances, this Court does not find it a fit case for grant of anticipatory bail.

Prayer of the petitioners for grant of anticipatory bail is rejected.

Petitioners may surrender before the Court below and seek regular bail, which shall be considered and disposed off in accordance with law on its own merit without being prejudiced by this order.

(Sanjay Priya, J)

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