

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52015 of 2016

Arising Out of PS.Case No. -125 Year- 2014 Thana -MAHILA P.S District- SUPAUL

- =====
1. Bhajan Sharma, Son of Ramdeo Sharma,
 2. Sanjay Kumar, Son of Ramdeo Sharma,
Both resident of Village- Fukaha, Tola- Barudah, Police Station- Zadia,
District- Supaul.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Uday Chand Prasad, Advocate

For the Opposite Party/s : Mr. Anil Kumar Singh 1, APP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 28-01-2017 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 366A/376/34 of the Indian Penal Code.

According to complaint petition when the complainant Rabita Kumari, aged about 18 years, was going to school along with her sister Rekha Kumari, the named accused persons including the petitioners forcefully took her on a tempo to Singheshwar Temple and the accused were pressurizing her to marry with petitioner Sanjay Kumar. The victim protested on the ground that she was already married with one Babloo Sharma.



She was kept at Singheshwar for the purpose of marriage and the petitioner Sanjay Kumar allegedly committed rape against her.

Learned counsel for the petitioners submits that the matter appears to be of love-affairs and just to put pressure, all the family members have been implicated in this case. There is no reason for co-accused Shyama Devi, who is mother of petitioner Sanjay Kumar, to force marriage of Sanjay Kumar with a married lady.

Considering the facts aforesaid, let the petitioners, above named, in the event of their arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of Mr. S. Ram, Judicial Magistrate, Supaul/Successor Court in connection with Supaul (Mahila) Police Station Case No.125 of 2014, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Birendra Kumar, J)

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