

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47183 of 2017

Arising Out of P.S.Case No. -57 Year- 2017 Thana -MAHILA P.S. District- MADHEPURA

- =====
1. Birju Mandal @ Birju Kumar, Son of Ramdeo Mandal,
 2. Bhola Mandal Son of Late Agamlal Mandal, Both are R/o Village-Patori, Ward No. 01, P.S.- Singheshwar , District- Madhepura.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Nafisuzzoha, Advocate

For the Opposite Party : Mr. Ramesh Chandra, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

2 17-10-2017

Heard.

2. Petitioners apprehending arrest in connection with Madhepura Mahila P.S.Case No.57 of 2017 pending in the Court of SDJM, Madhepura registered for an offence under Sections 376/511, 341, 323 and 354/34 of the IPC.

3. It is alleged that on 26.06.2017 both the petitioners attempted to commit rape upon her when she had gone to meet the call of nature. The informant raised alarm whereupon seeing the public both the petitioners escaped leaving their motorcycle at the spot.



4. The contention of the learned counsel for the petitioners is that there is delay of four days in lodging the FIR and present case has been filed on account of enmity.

5. On perusal of FIR, it appears that both the petitioners are named in the FIR and the specific allegation is that they attempted to commit rape upon the victim. It has further been alleged that both of them had teased the victim on earlier occasion also and on the date of occurrence, the petitioners escaped from the place of occurrence leaving their motorcycle at the spot on the alarm of the victim, which attracted local people.

6. In the facts and circumstances of the case, I am not inclined to extend them the privilege of anticipatory bail. The prayer is, therefore, rejected.

B.Kr./-

(Sanjay Kumar, J)

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