

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26653 of 2018

Arising Out of PS.Case No. -12 Year- 2018 Thana -MAHILA P.S. District- SARAN

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1. Bittu Singh @ Bittu Kumar Singh, S/o Nand Kishore Singh,
2. Kundan Kumar Singh S/o Yugal Kishore Singh, Both Residents of Vill.-
Bharhapur, P.S.- Awtar Nagar, Distt.- Saran, at Chapra.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajeev Kumar

For the Opposite Party/s : Mr. Ajay Kumar-1

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 04-05-2018 Heard learned counsel for the petitioners and
learned counsel for the State.

The petitioners seek anticipatory bail in a case instituted for the offences under Sections 341, 323, 376(G), 506 and 504/34 of the Indian Penal Code and section 3/4 of the Protection of Children from Sexual Offences Act, 2012.

In the First Information Report serious allegation of commission of rape has been made against Hanny Singh and these petitioners have assisted him to committing rape and did not allow girl to escape from the place but in the statement under 164 of Code of Criminal Procedure she has stated that that she has love affairs with Hanny Singh and having physical relationship for last one year. Further, it has been alleged that



she was assaulted by her parents because she wants to marry with Hanny Singh.

Looking to the facts and circumstances of the case, in the event of arrest or surrender within four weeks from today, let petitioners, namely, Bittu Singh alias Bittu Kumar Singh and Kundan Kumar Singh, 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 the Ist Additional Sessions Judge, Saran at Chapra in connection with Saran Mahila P.S. Case No.12 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure. It is made clear that if the petitioners will not co-operate during course of investigation and join for interrogation the police will be at liberty to file an application for cancellation of bail.

(Shivaji Pandey, J)

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