

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13937 of 2018

Arising Out of PS.Case No. -544 Year- 2017 Thana -COMPLAINT CASE District- BANKA
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1. Nandlal Das, S/o Muneshwar Das,
2. Khublal Das, S/o Late Janki Das,
3. Sildhar Das, S/o Late Ramdhani Das, All resident of Village- Dhakwa,
P.S.- Fullidumar, District- Banka.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Rekha Devi, W/o Jaldhar Das, Resident of Village- Dhakwa, P.S.-
Phullidumar, District- Banka.

.... Opposite Party/s
=====

Appearance :

For the Petitioner/s : Mr. Rajnish Kumar

For the Opposite Party/s : Mr. Sri Nagendra Prasad
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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 10-04-2018 Heard the parties.

The petitioners are apprehending their arrest in connection with Banka Complaint Case No.544 of 2017 registered for offences punishable under Sections 376/34 of the Indian Penal Code.

Allegation against the petitioners is of committing rape upon the complainant.

Submission of the learned counsel for the petitioners is that the complainant is in the habit of lodging such type of cases and earlier also she had lodged a case against the petitioners and other some other accused persons, that was referred to the *Gram*



Kachahari and the *Gram Kachahari* has found that it is a domestic dispute and she is not obeying the *Gram Kachahari* and also attention has been drawn towards Annexure 3 to this petition. Further submission of the learned counsel for the petitioners is that they have been falsely implicated in this case as no such occurrence has taken place.

Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioners surrender before the learned court below within a period of four weeks from the date of receipt of this order and pray for regular bail, which will be considered by the learned court below on the basis of submissions as well as considering documents as submitted by the petitioners and he will try to dispose of the same, if possible on the same day.

With the aforesaid observation, this application is disposed of.

(Vinod Kumar Sinha, J)

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