

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.65809 of 2018**

Arising Out of PS. Case No.-175 Year-2018 Thana- NARHATT District- Nawada

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1. Suma Devi Wife of Rajendra Rajbanshi
  2. Rajendra Rajbanshi Son of Late Parmeshwar Rajbanshi
  3. Dilip Rajbanshi son of Rajendra Rajbanshi All resident of Babhanaur P.S. Nahat, Distt.-Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Pramod Kumar Verma

For the Opposite Party/s : Mr. Jai Narain Thakur

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**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL**

ORAL ORDER

2      20-12-2018                      Heard learned counsel for the petitioners and learned APP for the State.

The petitioners apprehend their arrest in connection with Narhat P.S. Case no. 175 of 2018 registered under Sections 376 of the Indian Penal Code and Section 4 of the POCSO Act.

Mithun Rajbanshi is said to have committed rape against the informant, who happens to be minor girl incessantly promising her to perform marriage with her and subsequently he turned volte face. When the informant along with her parents approached the petitioner Suma Devi and Rajendra Rajbanshi, who happen to be parents of Mithun Rajbanshi, they made them escape slating them and petitioner Dilip Rajbanshi, who happens to be brother of Mithun Rajbanshi along with others asked them to abort pregnancy extending threatening of dire consequences.



It is submitted by learned counsel for the petitioners that the petitioners are quite innocent and have committed no offence. The offence of sexual assault is not against the petitioners rather only against Mithun Rajbanshi. Petitioners happen to be parents-in-law and brother of said Mithun Rajbanshi and they have been falsely implicated in this case by the informant to mount pressure upon them merely because they happen to be relative of Mithun Rajbanshi.

On the other hand, learned APP opposed the bail prayer of the petitioners.

In the facts and circumstances of the case, let the above named petitioners be released on bail, in the event of their arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned 1<sup>st</sup> Addl. District & Sessions Judge, Nawada in connection with Narhat P.S. Case no. 175 of 2018, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

**(Prakash Chandra Jaiswal, J)**

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