

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1639 of 2019

Arising Out of PS. Case No.-45 Year-2019 Thana- DHANARUA District- Patna

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TARENGNI DEVI Wife of Jitan Rabidas @ Jitendra Das, Resident of
Village- Deodaha, Police Station- Dhanarua, District- Patna.

... .. Appellant/s

Versus

THE STATE OF BIHAR.

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr. Vibhuti Ranjan Sonvadra
For the Respondent/s : Mr. Sadanand Paswan

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

ORAL ORDER

4 02-07-2019 Heard learned counsel for the appellant and

learned Special Public Prosecutor for the State.

The appellant seeks pre-arrest bail in connection with Dhanarua P.S. Case No.45 of 2019 registered under Sections 363, 365, 366, 341, 342 & 376/34 of the Indian Penal Code and Section 3 (I) (r) (s), 3 (2) (va) of the Scheduled Castes and Schedules Tribes (Prevention of Atrocities) Act, 1989.

Appellant who happens to be elder aunt of the informant is said to have taken her to Patna on the pretext of excursion and sold her out to Kunnu Kumar in Rs.5000/- who took her to a desolate place and committed rape against her for five days.



It is submitted by learned counsel for the appellant that no such occurrence as alleged ever took place. Appellant has been falsely implicated in the case. There is a land dispute between the husband of the appellant and the father of the victim who are own brother. There is a contradiction between the prosecution case and the statement of the victim made under Section 164 Cr.P.C. Appellant has no criminal antecedent.

Learned Spl. PP for the State opposing the prayer for bail submitted that the appellant happens to be the elder aunt of the victim she has sold her out in Rs.5000/- to Kunnu Kumar and the said Kunnu Kumar committed rape against her time and again for five days taking her to a desolate place. Though there are minor contradictions regarding the amount of money taken by the appellant from the Kunnu Kumar and the place of taking the victim by the appellant but such minor contradictions are not worth consideration at this stage.

Considering the facts and circumstances of case, I am not inclined to enlarge the appellant on bail. The prayer for bail of the appellant is hereby rejected. However, the appellant is directed to surrender before the learned



Court below within six weeks from today and seek regular bail and the learned Court below would pass order in accordance with law without being prejudiced by this order.

Accordingly, this appeal is dismissed.

(Prakash Chandra Jaiswal, J)

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