

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Appeal (SJ) No.3652 of 2018**

Arising Out of PS. Case No.-126 Year-2018 Thana- BHAGWANPUR District- Begusarai

1. Dr. Durgesh Kumar @ Durgesh Kumar son of Late Shiv Kumar, R/o Village & P.O.- Fateha, P.S.- Bachhwara, District- Begusarai

2. Lalit Kumar son of Dinesh Mukhiya, R/o village- & P.O. Sakhwa, P.S.- Bithan, District Samastipur

... .. Appellant/s

Versus

The State Of Bihar

... .. Respondent/s

**Appearance :**

For the Appellant/s : Mr. Chandan Kumar Kashyap  
For the Respondent/s : Mr. Uday Pratap Singh

**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA**  
**ORAL JUDGMENT**

**Date : 23-01-2019**

The appellants seek pre-arrest bail in connection with Bhagwanpur P.S. Case No. 126 of 2018, registered for offences punishable under Sections 341, 323, 376, 511, 504, 506, 34 of the Indian Penal Code and Section 3(r)(s) of SC/ST Act.

Allegation against the appellants is that they attempted to rape upon the informant and also threatened her.

Submission of learned counsel for the appellants is that the whole allegation is false and concocted and in fact no such occurrence has occurred and the appellants have falsely been implicated in this case. Further, they have no criminal antecedents.

Heard learned Special P.P. also.



Having heard both sides, considering the facts and circumstances of the case as stated above, this appeal is disposed of with a direction to the appellants to surrender within a period of six weeks from the receipt of the order and on surrender they will be released on bail till submission of charge-sheet, however, once the charge-sheet has been submitted against the appellants, they have to surrender and make prayer for regular bail, which shall be considered on the basis of materials available on record.

**(Vinod Kumar Sinha, J)**

Amjad/-

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