

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52596 of 2019

Arising Out of PS. Case No.-44 Year-2019 Thana- RAUTA District- Purnia

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1. Bhago Devi, Wife of Saudagar Lal Harijan Resident of Village-Charakpara, P.S.-Routa, District-Purnea.
 2. Saudagar Lal Harijan Son of Abharu Lal Harijan Resident of Village-Charakpara, P.S.-Routa, District-Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bijendra Kumar Singh

For the Opposite Party/s : Mr.Dashrath Mehta

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 23-08-2019 Heard learned counsel for the petitioners and learned
counsel appearing on behalf of the State.

Petitioners apprehend their arrest in connection with
Routa P.S. Case No.44 of 2019 for the offence punishable under
Sections 366, 368, 370(A)(2), 376, 34 of the Indian Penal Code.

The allegation against the petitioners as per First
Information Report is that informant was given intoxicating
material to eat by one Saheb Lal Harijan and Ritu Lal Harijan
and when the informant became unconscious, they picked the
informant to their home. It has further been alleged that one
Jagdish Singh who called his brother Hukum Singh, who was
resident of Uttar Pradesh and all the accused persons including



these petitioners allured the informant and against her will sent her along with Hukum Singh to Uttar Pradesh where Hukum Singh has committed rape and used to torture her physically and sexually. It has further been alleged that petitioner No.1 had also taken a sum of Rs.25,000/- and ornaments of the informant from her house.

Learned counsel for the petitioners submits that from perusal of the First Information report, it would be evident that the present case has been filed after a lapse of about eight months. Learned counsel further submits that altogether 10 to 12 persons have been made accused in this case and allegation against the petitioners are general and omnibus in nature and there is no allegation against them to assault or commit rape upon the informant. Learned counsel further submits that main allegation is against Hukum Singh, who allegedly committed rape and torture upon the informant after taking her to Uttar Pradesh on the pretext that informant was sold by her father in favour of Hukum Singh. Learned counsel further submits that petitioners have falsely been implicated in this case due to the village politics.

After having heard learned counsel for the petitioners as well as learned counsel appearing on behalf of the State and



taking into consideration the fact that there is no allegation of rape against the petitioners and it was one Hukum Singh, who had allegedly taken the informant along with him to Uttar Pradesh where he committed rape upon the informant, as such, I am inclined to grant anticipatory bail to all the petitioners.

Accordingly, all the petitioners, above named, are directed to surrender before the learned Court below within a period of four weeks from today and in the event of surrender by them, they shall be released on anticipatory bail by the Court below upon furnishing bail bond of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Purnea, subject to the condition as mentioned under Section 438 (2) of Cr.P.C.

(Anil Kumar Sinha, J)

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