

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70193 of 2019

Arising Out of PS. Case No.-279 Year-2015 Thana- BELHAR District- Banka

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1. JAINATH SAH @ JELO SAH @ JALO SAH S/o Fagu Sah
 2. Dilip Rajak S/o Chhotelal Rajak
Both residents of village- Bara, P.S.- Belhar, District- Banka

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Brij Nandad Prasad
For the Opposite Party/s : Mr.Rabindra Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 18-11-2019 Heard learned counsel for the petitioners and learned
Addl. Public Prosecutor for the State.

The petitioners are apprehending their arrest in connection with Belhar P.S. Case No.279 of 2015 registered for the offence under Sections 341, 323,354(B), 504/34 of the Indian Penal Code.

Accusation against the petitioners is that on 03.12.2015 at about 7.00 P.M., while the informant was returning her home from a shop after purchasing salt and sugar, both accused petitioners along with one another boy stopped and took her away in the side of mustard plant field and tried to commit rape, however on raised by the informant, her mother came. Further allegation is that petitioner Dilip Rajak also



abused her in filthy language

It was submitted by learned counsel for the petitioners that there was case and counter case in between the parties and the petitioners have falsely been implicated in the present case due to village politics.

Learned Addl.Public Prosecutor have opposed the prayer for anticipatory bail.

Considering the seriousness of accusation, I am not inclined to enlarge the petitioners on anticipatory bail. Accordingly, the prayer for anticipatory bail is rejected.

However, if the petitioners surrender before the court below and pray for regular bail, the learned court below, without being prejudiced with this order, may examine the same and pass appropriate order in accordance with law.

(Anjani Kumar Sharan, J.)

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