

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65874 of 2019

Arising Out of PS. Case No.-571 Year-2019 Thana- BHABHU(KAIMUR) COMPLAIN C
District- Kaimur (Bhabua)

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1. JITU DUBEY @ JITENDRA DUBEY Son of Late Sudama Dubey Resident of Village- Jalalpur, P.S.- Mohania, District- Kaimur (Bhabua).
 2. Sonu Dubey Son of Late Sudama Dubey Resident of Village- Jalalpur, P.S.- Mohania, District- Kaimur (Bhabua).
 3. Monu Dubey Son of Late Sudama Dubey Resident of Village- Jalalpur, P.S.- Mohania, District- Kaimur (Bhabua).

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Kusum Devi Wife of Rajesh Bind Resident of Village- Jalalpur, P.S.- Bhabua, District- Kaimur (Bhabua).

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajesh Kumar Pathak
For the Opposite Party/s : Mr.Murli Dhar

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 05-11-2019 Heard learned counsel for the petitioners and the learned
A.P.P. for the State.

The petitioners apprehend their arrest in connection with
Complaint Case No.571 of 2019 registered under Sections 376/511,
354(B), 452 and 323/34 of the Indian Penal Code.

The accusation is that on 08.05.2019 at about 10.00 A.M.,
the quarrel and scuffle took place in between the children of the
opposite party no.2 and the petitioners. In the evening of that date,
when the opposite party no.2 was alone in her house, at that time,
these petitioners in drunken state entered the house of the opposite



party no.2 and with bad intention caught hold her. In the meantime, other ladies of the family of the opposite party no.2 rushed there but despite that these petitioners started to take the opposite party no.2 forcibly, saying that they will commit rape on the opposite party no.2. On arrival of the villagers, the petitioners went away from there.

Learned counsel for the petitioners submits that Bhabua P.S. Case No.252 of 2019 has been instituted on the basis of the fardbeyan of the petitioner no.1 against the family members of the opposite party no.2 on 09.05.2019 and the present case has been filed by the opposite party no.2 with false allegation against the petitioners, who are own brothers.

Having considered the facts and the circumstances of the case, let the petitioners, above named, in the event of their arrest or surrender by them within six weeks from today, be enlarged on bail on their furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of Smt. Neha Singh, Judicial Magistrate, 2nd Class, Bhabua (Kaimur), in connection with Complaint Case No.571 of 2019, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

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