

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84104 of 2019

Arising Out of PS. Case No.-398 Year-2019 Thana- MUNGER COMPLAINT CASE
District- Munger

-
1. PRASHANT @ BABUA MANDAL S/O Subhash Mandal R/O Hasanpur, P.S. - Mufassil, District - Munger.
 2. Nagendra @ Mantu Mandal @ Nagendra Kumar Suraj Narayan Mandal @ Narayan Mandal R/O Hasanpur, P.S. - Mufassil, District - Munger.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Harun Quareshi

For the Opposite Party/s : Mr.Rajiv Nayan

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 18-12-2019 Petitioners seek bail in anticipation of their arrest in connection with Complaint Case No. 398C of 2019 instituted for the offences punishable under Sections 376, 511, 380, 341, 323, 324, 452, 354 of the Indian Penal Code, 4, 6, 12 of POCSO Act and Section 27 of the Arms Act.

As per complaint case petitioner attempted to commit rape upon the daughter of the complainant. Further allegation against them is of assault and taking away articles from the house.

Submission of learned counsel for the petitioners is that present case is in retaliation to the case filed by the petitioners, which is Annexure-2 and other co-accused persons



have been granted anticipatory bail by order dated 20.11.2019 passed in Cr.Misc.No. 71670 of 2019.

Heard learned APP also, who has opposed the prayer for anticipatory bail stating that there is allegation against the petitioners of attempting to commit rape upon the victim girl and the co-accused, who have been granted bail, having no allegation of rape.

In view of above facts and circumstances, I am not inclined to grant the privilege of anticipatory bail to the petitioners. However, if they surrender and pray for regular bail, the same shall be considered on its own merit, without being prejudiced by this order.

This application is, accordingly, dismissed.

(Vinod Kumar Sinha, J)

spal/-

U		T	
---	--	---	--

