

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11442 of 2020

Arising Out of PS. Case No.-163 Year-2019 Thana- BABUBARHI District- Madhubani

1. MALTI DEVI Wife of Mahendra Sahani Resident of Village-Navaka Tol (Khojapur), P.S.-Babubarhi, District-Madhubani.
2. Renu Devi Wife of Indra Sahani Resident of Village-Navaka Tol (Khojapur), P.S.-Babubarhi, District-Madhubani.
3. Indra Sahani Son of Mahendra Sahani Resident of Village-Navaka Tol (Khojapur), P.S.-Babubarhi, District-Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Soban Asghar, Advocate

For the Opposite Party/s : Mr.Uma Shankar Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 16-09-2020 This matter is taken up for consideration through Video Conferencing under the orders of Hon'ble the Chief Justice.

Heard learned counsel for the petitioners and learned counsel for the State.

The petitioners apprehends their arrest in Babubarhi P.S. Case No. 163 of 2019, registered for the offences punishable under Sections 341, 323, 376, 504 and 34 of the Indian Penal Code.

Prosecution case in brief is that on 18.07.2019 at about 7.30 p.m. while the informant was going to attend natural call on the way, Shiv Kumar Sahani came from behind and



caught hold her hand and committed rape upon her. When the informant raised alarm he assaulted her. When the informant informed her parents about the incident, the parents of the informant reached at the house of accused, but the petitioners abused them and also tried to assault them with lathi and danda.

It is submitted that petitioners are family members of co-accused Shiv Kumar Sahani against whom there is allegation of committing rape. Petitioners are alleged to have abused the mother of the informant when she went to make complain against the co-accused Shiv Kumar Sahani. Petitioner No. 1 and 2 are ladies.

Considering the facts aforesaid, the petitioners above-named, in the event of their arrest/surrender before the court below within a period of eight weeks from the date of receipt/production of a copy of this order, are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate 3rd, Madhubani in connection with Babubarhi P.S. Case No. 163 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

vinita/-

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