

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38 of 2020

Arising Out of PS. Case No.-224 Year-2019 Thana- SAHPUR District- Patna

1. Sunil Rai, aged about 35 years, Male
2. Umakant Rai, aged about 38 years, Male,
3. Amarjeet Rai, aged about 40 years, Male, all are sons of Ram Chandra Rai, Resident of Village - Mubarakpur Bijapat, P.S.- Shahpur, Distt - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs.Usha Kumari Singh, Advocate
For the Opposite Party/s : Mr.Binod Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 20-02-2020 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Shahpur P.S. Case No. 224 of 2019 registered for the offences punishable under Sections 376, 511, 341, 323, 504 of the Indian Penal Code.

The prosecution case, in brief, is that one Baby Devi filed a written application before the S.H.O., Shahpur P.S., Patna, who happened to be informant of this case, lodged the aforesaid F.I.R., alleging therein that on 12.06.2019, she along with other were sleeping on the roof of the house. In the meantime in the night at 12 O' clock one person namely Binod



Rai, who was climbing on the roof, attempted to commit rape with her and when she protested, he was also assaulted her. On alarm, other persons awoke, then he fled away from the rood. When her husband and other relative went to complaint against the accused Binod Rai to his family members, they abuses them and threatened to kill them.

Learned counsel for the petitioners submits that there is no specific allegation of overt act against the petitioner and have been falsely implicated in this case. He further submits that no offence of Sections 376/511 IPC is made out against the petitioners. He further submits that the petitioners have no any criminal antecedent. He further submits that now the good sense prevailed between the parties and a compromise petition has been filed. There is specific allegation against co-accused Binod Rai. He is not the petitioner in the present case.

In the facts and circumstances of the case, let the above named petitioners be released on bail, in the event of arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 20,000/- (twenty thousand) each with two sureties of the like



amount each to the satisfaction of A.C.J.M.-I, Danapur, Patna in connection with Shahpur P.S. Case No. 224 of 2019, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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