

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12575 of 2021

Arising Out of PS. Case No.-224 Year-2020 Thana- DIGHWARA District- Saran

1. Chulbul Rai S/O- Mandeep Rai
 2. Bholbam Rai S/o- Ganour Rai
- Both R/o Village- Nawal Tola, P.S.- Dighwara, District- Saran at Chapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Tej Pratap Singh, Adv
For the Opposite Party/s : Mr. A.P.P.

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 17-11-2021 Let the defect (s) be removed within two weeks of
the complete start of the physical Court.

Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

The petitioners are apprehending their arrest in a case
registered for the offences punishable under Sections 376(D)/34
of the Indian Penal Code.

The petitioners allegedly committed house trespass
and gang rape against the informant.

Learned counsel for the petitioners submits that there
is a counter case wherein the petitioners alleged that the
prosecution side forcefully entered into his house and
committed robbery. Further submission is that the Doctor has



not found any sign of rape.

Since the prosecutrix cannot be disbelieved at this stage, I am not inclined to enlarge the petitioners on anticipatory bail in connection with Dighwara P.S.Case No.224 of 2020 pending in the court of learned A.C.J.M.-IX, Saran at Chapra. Hence, prayer is refused.

The petitioners shall surrender within two weeks and pray for regular bail, failing which the learned court below shall take coercive steps for procuring attendance of the petitioners.

(Birendra Kumar, J)

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