

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18365 of 2021

Arising Out of PS. Case No.-42 Year-2020 Thana- MAHILA PS District- East Champaran

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1. RITA DEVI, W/O RAJESH RAM, R/o village- Shripur Nawada, P.S.- Pakridyalpur, District- East Champaran
 2. Subesh Ram @ Subhash Ram, S/o Ram Eqbal Ram, R/o village- Patahi, P.S.- Patahi, District- East Champaran
 3. Subodh Ram, S/o Ram Eqbal Ram, R/o village- Patahi, P.S.- Patahi, District- East Champaran

... Petitioners

Versus

THE STATE OF BIHAR

... Opposite Party

Appearance :

For the Petitioners : Mr. Sarvan Kumar, Adv.

For the Opposite Party : Mr. Abhay Kumar Roy, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 13-12-2021 The learned counsel for the petitioners submits that petitioner no. 3, Subodh Ram, during the pendency of this application has been arrested, hence, prays to withdraw this application on his behalf.

Prayer is allowed. This application is dismissed as withdraw so far as petitioner no. 3, Subodh Ram, is concerned.

Heard learned counsel for the petitioners 1 and 2 and the learned Additional Public Prosecutor appearing for the State.

Learned counsel for the petitioners is expected to honour his undertaking given in the instant case for depositing the requisite Court fee and to remove the defects as pointed out by the office when called upon to do so by the office.

The petitioners 1 and 2 are apprehending their arrest in a case registered for the offences punishable under Sections 493, 376 and 34 of the Indian Penal Code.

The main allegation of committing the rape is against



Ravi Ranjan who is not petitioner. The petitioners 1 and 2 are falsely implicated in this case due to being a relative of co-accused, Ravi Ranjan. It is further submitted on behalf of the petitioners 1 and 2 that victim was being sexually exploited by Rajiv Ranjan from last three years on the pretext of marriage but he refused to marry with the victim.

In the facts and circumstances of the case, let the petitioners 1 and 2, above named, in the event of their arrest or surrender before the Court below within a period of four weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, East Champaran at Motihari, in connection with Motihari Mahila P.S. Case No. 42 of 2020, subject to the conditions as laid down under Section 438(2) of the Criminal Procedure Code.

(Sunil Kumar Panwar, J)

Shamshad/-

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