

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30970 of 2020

Arising Out of PS. Case No.-118 Year-2019 Thana- MAHILA P.S. District- Araria

1. SAKIB Son of Late Belal @ Md. Belal Resident of Village- Purwari Jhirwa, P.S.- Simraha, District- Araria.
2. Kunwa @ Samir Son of Late Belal @ Md. Belal Resident of Village- Purwari Jhirwa, P.S.- Simraha, District- Araria.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Prasad Singh

For the Opposite Party/s : Mr.A.G

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 22-01-2021 Learned counsel for the petitioners is directed to remove the defects, as pointed out by the office, within a period of four weeks.

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

The petitioners are apprehending their arrest in a case registered under Sections 376D, 506 of the Indian Penal Code.

Allegation is that the petitioners committed rape with the victim.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the



petitioners. The petitioners have falsely been implicated in the present case. Subsequently the mother of the victim has filed a petition in the court below, where she has retracted from her earlier statement, in which the allegation of commission of rape was made. The F.I.R. was instituted after fourteen days of the occurrence. Delay has not been explained by the prosecution.

On behalf of the State, it is submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners, above named, in the event of arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Araria in connection with Mahila P.S. case No.118 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Narendra/-

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