

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30748 of 2020

Arising Out of PS. Case No.-2 Year-2020 Thana- MAHILA District- Munger

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1. SABRI DEVI W/o Kishan Singh Resident of Village-Laljee Tola, Sitarampur, P.S.-Bariarpur, District-Munger.
 2. Kishan Singh S/o Maheshwar Singh Resident of Village-Laljee Tola, Sitarampur, P.S.-Bariarpur, District-Munger.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rikesh Sinha

For the Opposite Party/s : A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 19-02-2021 As prayed for, let the learned counsel appearing for the petitioners remove the defect(s), as pointed out by the office vide its notes dated 10.11.2020, within four weeks of starting of Court proceeding in physical mode.

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

The petitioners apprehend their arrest in connection with Mahila P.S. Case no. 02 of 2020, registered under Sections 341, 376 and 504 of the Indian Penal Code.

The accusation is that on 10.01.2020 at about 10.00 P.M. in the night, informant came out from her house to attend call of nature, at that time, her neighbour Dhiraj Kumar,



son of Kishan Singh, forcibly, caught her hold and committed rape. Thereafter, informant came her house, in weeping condition, and informed the incident to her family members. Thereafter, her parents went at the house of Dhiraj Kumar and told that Dhiraj has committed rape upon their daughter so it would be better to perform marriage in between them. On which Kishan Singh and Sabri Devi (Petitioners), parents of Dhiraj Kumar, started to abuse saying them to take Rs. 50,000/- and not lodge the case.

Learned counsel for the petitioners submits that both the petitioners are mother and father of co-accused Dhiraj Kumar against whom the allegation of rape has been made. Further submission is that the informant made the allegation against the petitioners that when her parents approached the petitioners and made compliant then they asked to take Rs. 50,000/- and not lodge the case. The petitioners have no criminal antecedent.

Having regard to the facts and circumstances of the case, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of



the like amount each to the satisfaction of learned Sri Bimlesh Kumar, J.M. 1st Munger in connection with Mahila P.S. Case no. 02 of 2020, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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