

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60278 of 2023

Arising Out of PS. Case No.-31 Year-2021 Thana- MAHILA PS District- Aurangabad

1. Ramdhir Kumar @ Randhir Kumar S/O- Laxmi Narayan Yadav Village- Jakhaura Ps- Hasapura Dist- Aurangabad
2. Sudhir Kumar @ Ravi Kumar Son Of Laxmi Narayan Yadav Village- Jakhaura Ps- Hasapura Dist- Aurangabad
3. Ranvijay Yadav @ Vijay Yadav @ Ranvijay Kumar Son Of Late Kameshwar Singh Village- Jakhaura Ps- Hasapura Dist- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar

For the Opposite Party/s : Ms. Pushpa Sinha

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 13-10-2023 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend their arrest in Aurangabad Mahila P.S. Case No. 31 of 2021 registered for the offences punishable under Sections 354A, 354B, 376, 511, 34 of the Indian Penal Code pending in the Court of learned S.D.J.M., Daudnagar, Aurangabad.

3. As per the prosecution case, the petitioners along with other accused persons used to bring liquor and ganja to the informant's house and feed it to her husband and stayed in her house by late night and when her husband fell asleep in an inebriated condition, they tried to rape her.

4. Learned counsel for the petitioners submits that the



petitioners are innocent and have falsely been implicated in this case. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. He submits that petitioners no. 1 and 2 are devar of the informant and petitioner no. 3 is brother-in-law of the informant. He submits there land dispute between the parties and on that account the informant has lodged the case against the petitioners. The petitioners no. 1 and 2 have one criminal antecedent and petitioner no. 3 has no criminal antecedent as mentioned in para-3 of the bail application.

5. Learned APP for the State opposes the prayer for anticipatory bail and submits that it is not a fit case for anticipatory bail. Hence, they do not deserve privilege of anticipatory bail.

6. Considering the facts and circumstances of case and the nature of the offence, I am not inclined to enlarge the petitioners on anticipatory bail. The prayer for anticipatory bail of the petitioners is hereby rejected.

7. However, if the petitioners surrender before the learned Court below within six weeks from today and seek regular bail, the learned Court below would pass order on the same day in accordance with law without being prejudiced by this order.

(Anjani Kumar Sharan, J)

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