

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71612 of 2022

Arising Out of PS. Case No.-27 Year-2022 Thana- KHAJAUJI District- Madhubani

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1. SHAIENDRA KUMAR SINGH S/O MAHENDRA NARAYAN SINGH
Resident of village- Tarapatti, P.S.- Khajauli, District- Madhubani.
 2. REKHA SINGH @ REKHA DEVI W/O SHAIENDRA KUMAR SINGH
Resident of village- Tarapatti, P.S.- Khajauli, District- Madhubani.
 3. PRASHANT KUMAR SINGH S/O SHAIENDRA KUMAR SINGH
Resident of village- Tarapatti, P.S.- Khajauli, District- Madhubani.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. RINKI DEVI W/O OM PRAKASH SINGH Resident of village- Tarapatti,
P.S.- Khajauli, District- Madhubani.

... .. Opposite Party/s

Appearance :

For the Petitioners	:	Mr. Dinkar Kumar, Advocate
For the State	:	Mr. Anil Kumar Singh No.1, APP
For the Informant	:	Mr. Nafisuzzoha, Advocate

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 02-02-2023 Heard learned counsel for the petitioners, learned APP

for the State as well as learned counsel appearing on behalf of

the informant.

The petitioners apprehend their arrest in connection
with Khajauli P.S. Case No.27 of 2022, registered for the
offences punishable under Sections 341, 323, 354(B), 379, 504,
506 and 34 of the Indian Penal Code and Section 8 of the
POCSO Act.

The informant alleged that her husband is suffering
from mental disorder from last 20-25 years. It is further alleged
that on 25.02.2022 at around 7.30 a.m., her daughter aged about



15 years was going towards her field with bicycle. When she reached near the field of one Ramesh Kumar Singh, Shailendra Kumar Singh and Rekha Devi were standing and they caught her daughter and took her towards their house. The accused persons closed the daughter of the informant in a room and their two sons, namely, Prashant Kumar Singh and Nishant Kumar Singh tried to commit rape with the daughter of the informant.

Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in the present case. It is submitted that the petitioners have got criminal antecedents as stated in paragraph-3 of the bail application. It is further submitted that there is case and counter case between the parties and both sides sustained injuries.

Learned APP for the State as well as learned counsel for the informant opposed the prayer for grant of anticipatory bail to the petitioners by submitting that the victim has supported the prosecution case in her statement recorded under Section 164 Cr.P.C.

Considering the fact that the victim has supported the prosecution case in her statement recorded under Section 164 Cr.P.C., I am not inclined to enlarge the petitioners on anticipatory bail. Accordingly, the prayer for grant of



anticipatory bail to the petitioners is hereby rejected.

(Anjani Kumar Sharan, J)

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