

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64184 of 2022

Arising Out of PS. Case No.-153 Year-2022 Thana- MAJHAULIA District- West Champaran

1. MUKESH PATEL Son of Arjun Patel Resident of Pakadiya Malahi Tola, Police Station - Jagdishpur, District - West Champaran.
2. Dhurendra Chaudhary Son of Sudama Chaudhary Resident of Pakadiya Malahi Tola, Police Station - Jagdishpur, District - West Champaran.
3. Gharbharni Devi Wife of Ishari Chaudhary Resident of Village Bhatwaliya, Yogapatti, Police Station - Yogapatti, District - West Champaran.
4. Rampujan Chaudhary Son of Ishari Chaudhary Resident of Village Bhatwaliya, Yogapatti, Police Station Yogapatti, District - West Champaran.
5. Shivpujan Chaudhary Son of Ishari Chaudhary Resident of Village Bhatwaliya, Yogapatti, Police Station Yogapatti, District - West Champaran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anant Kumar Mishra

For the Opposite Party/s : Mr.Anil Kumar Singh No. 1

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 02-02-2023 Heard both sides.

The petitioners apprehend their arrest in connection with Majhauiliya P.S. Case No.153 of 2022, registered for the offences punishable under Sections 366(A), 376, 380, 420, 406, 504 and 34 of the Indian Penal Code.

Petitioners No.1 and 2, namely, Mukesh Patel and Dhurendra Chaudhary are said to have committed rape with the informant. It is also alleged that the occurrence took place inside the house of petitioners no.3, 4 and 5.

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 no criminal antecedents as stated in paragraph-3 of the bail application. It is further submitted that no specific allegation is made against petitioners no.3, 4 and 5. The specific allegation is against petitioners no.1 and 2.

Learned APP for the State opposed the prayer for anticipatory bail of the petitioners by submitting that the medical report supports the prosecution case.

Considering the facts aforesaid, 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.

However, if petitioners surrender before the learned court below within a period of six weeks from today and pray for regular bail, the learned court below shall consider the prayer for regular bail of the petitioners preferably on the same day without being prejudiced by this order.

(Anjani Kumar Sharan, J)

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