

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11987 of 2024

Arising Out of PS. Case No.-400 Year-2023 Thana- GORAUL District- Vaishali

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1. RITA DEVI @ RINA DEVI W/O- MUKESH RAY R/O- VILLAGE- KELA JALALPUR SALEMPUR DUMARIYA, P.S.- GORAUAL (KATAHAR O.P.), DIST.- VAISHALI.
 2. MUKESH RAY S/O- LATE KISHUNRAY @ SIRKUSHAN RAY R/O- VILLAGE- KELA JALALPUR SALEMPUR DUMARIYA, P.S.- GORAUAL (KATAHAR O.P.), DIST.- VAISHALI.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR, PATNA
2. RANI KUMARI W/O- VIKRAM KUMAR R/O- VILLAGE- KELA JALALPUR, P.S.- GORAUL (KATAHARA, O.P.), DIST.- VAISHALI.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajeev Sinha, Adv.
For the Opposite Party/s : Mr.Binay Krishna, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 12-03-2024 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 376(D), 509 of the Indian Penal Code, Section 4, 8 & 12 of the POCSO Act and Sections 3(i)(r)(s) of the SC/ST Act.

3. Allegedly, in association with other co-accused persons, co-accused Sonu Kumar took the informant towards the field of one Usman Miya forcefully and developed physical relationship with her. On objection, they also threatened to kill



her. It is further alleged that when the informant's father went to the house of co-accused Sonu Kumar for making complain about the alleged occurrence, both the petitioners, parents of co-accused Sonu Kumar, abused him by taking his caste name and threatened him of dire consequences.

4. It is submitted by learned counsel for the petitioners that petitioners are quite innocent and they have committed no offence. No such occurrence as alleged ever took place. Petitioners have been falsely implicated in this case due to ulterior motive. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. They have been made accused in the present case merely because they are parents of co-accused Sonu Kumar. They have no role in the alleged occurrence. They have no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State opposes the prayer for bail.

6. Having regard to the facts and circumstances of the case, as there is no specific overt act against the petitioners, 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 six weeks from today, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) each with two



sureties of the like amount each to the satisfaction of the learned lower Court where the case is pending/successor Court in connection with Goraul P.S. Case No. 400 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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