

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83679 of 2024

Arising Out of PS. Case No.-24 Year-2024 Thana- MAHILA PS District- Gopalganj

1. Shanti Devi Wife of Late Vishwanath Sah
2. Munni Devi Wife of Munna Sah
Both are Resident of village- Rajpur Jhanki, PS - Sripur, Distt.- Gopalganj
... .. Petitioner/s

Versus

The State of Bihar
... .. Opposite Party/s

Appearance :
For the Petitioner/s : Mr. Dharmveer, Advocate
For the Opposite Party/s : Mr. Rajiv Nayan, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 11-12-2024 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend their arrest in connection with Gopalganj Mahila P.S. Case No.24 of 2024 dated 28.06.2024 instituted for the offence punishable under Section 341, 323, 354, 376, 387, 504, 506/34 the Indian Penal Code.

3. The prosecution case, in short, is that the complainant was staying at her sister's house for the last one month where she was undergoing treatment for TB. While the complainant was staying at her sister's house, her sister's brother-in-law Munna Sah used to tease and threaten her that if she told anyone, he would kill her and her brother-in-law Sanjay Sah. The complainant did not tell anything to anyone due to fear. On



27.06.2024 at 10 pm, when she was sleeping alone in her sister's new house after eating dinner, Munna Sah suddenly entered the house and caught and gagged her mouth and raped her forcefully. After this, informant told her sister about the incident, then they came and when they went to ask Munna Sah, Munna Sah, his wife and his mother all together abused the informant, her sister and brother-in-law and beat them up.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have has been falsely implicated in this case. It appears from the F.I.R. that there is no specific allegation against petitioners, rather specific allegation is against co-accused, Munna Sah. Further submits that petitioner no.1 is mother of Munna Sah and petitioner no.2 is wife of Munna Sah. Lastly, it has been submitted that petitioners are persons with clean antecedent.

5. On the other hand, learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioners.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioners within a period of six weeks from today, in connection with Gopalganj Mahila P.S. Case No.24 of 2024, they will be released on bail upon



furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Gopalganj, subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Khatim Reza, J)

Prakash Narayan

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