

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9551 of 2015

Arising Out of PS.Case No. -366 Year- 2014 Thana -MAJHAULIA District-
WESTCHAMPARAN(BETTIAH)

- =====
1. Tabrez Alam son of Sainullah Mian
 2. Prawez Alam @ Parvej Alam son of Sainullah Mian
 3. Kamrul Nesha wife of Sainnullah Mian All are resident of Village -
Bharwalia, Police Station Majhauilya, District - West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar No.-7

For the Opposite Party/s : Mr. A.L. Pandit (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 22-04-2015 Heard learned counsels for the petitioner and the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 376/34 of the Indian Penal Code, Section 3/4 of the Dowry Prohibition Act and Sections 4, 6 and 8 of the Protection of Children from Sexual Offences Act.

It is alleged that the petitioner no.1 on promise of marriage started residing with the informant as husband and wife, subsequently, petitioner nos. 2 and 3 being the younger brother and mother of petitioner no.1, promised the informant that they will get the marriage solemnized but they subsequently started demanding dowry.

It is submitted by learned counsel for the petitioners that even assuming the accusation, no offences under Section 376/34 IPC is made out against petitioner no.1.

This Court is not inclined to grant anticipatory bail to petitioner no.1.

Let the learned court below consider the prayer for regular bail of petitioner no.1 if he surrenders within a period of six weeks.

So far as petitioner nos. 2 and 3 are concerned, considering the thrust of accusation against petitioner no.1, let the above named petitioner nos. 2 and 3 be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned 1st Addl. District and Sessions Judge-Cum-Special Judge, West Champaran at Bettiah in connection with Majhauriya P.S. Case No. 366 of 2014, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

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