

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32829 of 2014

Arising Out of PS.Case No. -45 Year- 2014 Thana -MAHILA PS District- DARBHANGA

=====

1. Wazul Haque son of Late Tabarak Hussain
2. Azimul Haque son of Md. Wazul
3. Jiyaul Haque son of Md. Wazul
4. Mannan son of Illiyas All are resident of village - Brahmpura, Police Station - Ghanshyampur, District - Darbhanga
5. Md. Aszad Ali son of Asmat resident of village - Dhamsain, Police Station - Bahera, District – Darbhanga Petitioner/s

Versus

1. The State of Bihar
2. Nuresha Khatoon daughter of Safik @ Bhola resident of village - Brahmpura, Police Station - Ghanshyampur, District - Darbhanga
.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Girish Chandra Jha
For the Opposite Party/s : Mr. Pushpa Sinha-Ii(App)

=====

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 03-02-2015 The petitioners four in numbers apprehend their arrest in Mahila P.S. Case No. 45 of 2014 registered under section 376 and other allied sections of the I.P.C.

The victim made an allegation that Md. Enamul called her and thereafter kidnapped her. He confined her in a room and continuously committed rape with her. After some time the accused left her in her village on the pretext that he would marry with her. She names the petitioner that they were pressurising her not to lodge the case.

Learned counsel for the petitioners submits that there is no allegation of either kidnapping or committing rape

against the petitioners and petitioners are relatives of Md. Enamul. They have been named in the first information report only to exert pressure so that Md. Enamul may marriage with the informant.

Learned counsel for the informant on the other hand opposed the prayer for anticipatory bail. On perusal of record it appears that the petitioner did not participate either kidnapping or committing rape on victim. When the victim returned to her house it is alleged that the petitioners pressurised her not to lodge the case.

Having considered the aforesaid facts, petitioners Wazul Haque, Azimul Haque Mannan and Md. Aszad Ali in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order are directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of Chief Judicial Magistrate, Darbhanga in Mahila (Darbhanga) P.S. Case No. 45 of 2014, subject to the conditions as laid down under section 438(2) Cr.P.C.

(Prabhat Kumar Jha, J)

M.Rahman/-

U		T	
---	--	---	--