

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51288 of 2015

Arising Out of PS.Case No. -28 Year- 2015 Thana -MAHILA PS District- KATIHAR

- =====
1. Md. Jahangir @ Jahangir, son of late Maquabool
 2. Md. Daud @ Daud, son of Mofil
 3. Jamila Khatoon, wife of Muddi
 4. Majo Khatoon, wife of Kalim All are resident of Hachalpur Parariya, P.S. Kadwa, Distt- Katihar.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajit Kumar Singh

For the Opposite Party/s : Mr. Prem Kr.Jha(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA

ORAL ORDER

2 15-12-2015

Heard both sides.

The petitioners apprehend arrest in a case registered for the offences punishable under sections 376, 341, 323/34 of the Indian Penal Code and section 4 of POCSO Act.

The victim made allegation that Md. Kalim firstly committed rape with her in the month of November, 2014 and thereafter on the pretext of marrying with her, he continued to establish physical relationship with her and Md. Kalim did not marry. When the prosecutrix went to the house of Md. Kalim, the petitioners are said to have abused and assaulted her.

It is submitted that the entire allegation is false

and concocted. The petitioners are not alleged to have committed any rape rather the petitioners are members of the family of Md. Kalim. Petitioners are relatives and petitioner no. 4 is wife of Md. Kalim, who is said to have raped the victim.

Considering the nature of allegation made against the petitioners, the petitioners, above named, in the event of arrest or surrender in the court below within four weeks from the date of receipt/production of a copy of this order, shall be enlarged on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Special Judge, Katihar in connection with Mahila P.S. Case No. 28 of 2015 subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure, 1973.

(Prabhat Kumar Jha, J)

Amin/-

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