

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12701 of 2015

Arising Out of PS.Case No. -173 Year- 2013 Thana -AADAPUR District-
EASTCHAMPARAN(MOTIHARI)

- =====
1. Tairun Nesha W/o Shekh Kasim,
 2. Khairun Nesha, W/o Shekh Yashin
 3. Shabana Khatoon, W/o Shekh Asgagab, All are R/o Village - Bhawanipur, P.S. - Nakardei (Adapur), District - East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Kumar

For the Opposite Party/s : Mr. Aditya Nr. Singh1 (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 27-03-2015 Heard learned counsels for the petitioners and the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 366 and 120B/34 of the Indian Penal Code.

It is alleged that the daughter of the informant was kidnapped by Saddam and Arman and thereafter Sajjad, Sunil and Bhutan established forceful physical relationship with her at the house of Bhutan. The petitioners are wife and mother of the accused persons and it is alleged that they were present in the house at the time of occurrence and reached the victim next day near the orchard.

It is submitted by learned counsel for the petitioners that the accusations of abduction and commission of rape are not against the petitioners and the medical opinion does not suggest the commission of rape on the daughter of the informant.

Considering the aforesaid facts, let the above named petitioners be released on anticipatory bail in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned JM Ist Class, Raxaul, Motihari, East Champaran in connection with Adapur P.S. Case No. 173 of 2013 subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

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