

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.21158 of 2015

Arising out of PS.Case No. -156 Year- 2014 Thana -BELA District- SITAMARHI

- 1. Idris Rain, son of Hadish Rain.
- 2. Mozim Rain, Son of Md. Kalam Rain.
- 3. Israil Rain, Son of Md. Waheed Rain.
- 4. Waheed Rain @ Md. Waheed Rain, Son of Late Safique Rain.
- 5. Mobarak Hussain @ Md. Mobarak Hussain, Son of Idris Rain, All residents of village- Usraina Mohanpur, P.S.- Bela, District- Sitamarhi

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

Appearance :

- For the Petitioners : Mr. Pushpendra Kumar Singh, Advocate.
- For the Opposite Party : Mr. Anil Kumar(App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 04-09-2015 Heard learned counsel for the petitioners and learned counsel for the State.

The petitioners are apprehending their arrest in connection with Bela P.S. Case No. 156 of 2014 for the offences instituted under Sections 341, 323, 324, 313, 376 and 504 of the IPC.

The prosecution story, in brief, is that the on the date of occurrence, all these petitioners surrounded the informant and her mother. They abused them. It is further alleged that the accused Idris Rain(petitioner no. 1), assaulted the informant with Chaku on right shoulder. The cause of occurrence is that in the year 2012,

Mobarak Hussain son of Idris Rain, had established physical relation with the informant on the pretext to marry her. It is further alleged that the informant became pregnant then he refused to marry her. Idris Rain has assaulted on stomach of the informant on 22.06.2014 with intention to cause miscarriage to the informant.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. It is further submitted that the informant sustained injury is simple in nature. So far as physical relationship with the informant is concerned, the same is denied. There is no other material to support the allegation made on behalf of the informant. It is orally stated that the petitioner no. 5 had no physical relationship with the informant.

On behalf of the State it has been submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners above named, be released on bail in the event of their arrest or surrender before the learned court below within a period of four weeks from today in connection with Bela P.S. Case No. 156 of 2014 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 J.M. Ist Class, Sitamarhi, subject to the conditions as laid down under Section 438(2) of the Code of

Criminal Procedure.

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(Sudhir Singh, J)

