

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20112 of 2015

Arising Out of PS.Case No. -37 Year- 2015 Thana -ARARIA District- ARRARIA

- =====
1. Mithoo @ Hasnain @ Md.Hasnain , son of Md. Siddik
 2. Md. Abu Sama @Abu Sama, son of Md. Ghulam Shahid @ Shahid
- Both are residents of village- Bangama, P.S. and District- Araria
- Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Bindeshwar Kumar

For the Opposite Party/s : Mr. Shyam Bihari Singh (App)

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

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2 17-06-2015 Heard Sri Bindeshwar Kumar, learned counsel for the

petitioners and Sri Shyam Bihari Singh, learned Addl. Public

Prosecutor.

Two petitioners, apprehending their arrest in
connection with Araria P.S. Case no.37 of 2015 (G.R. No.237 of
2015) registered for the offence under Sections 363, 366(A)/34 of
the Indian Penal Code, have prayed for grant of anticipatory bail.

Learned counsel for the petitioners submits that of
course, both the petitioners were named as accused in the F.I.R
along with main accused, namely, Guddu @ Gufran. After lodging
of F.I.R. , the victim girl i.e. daughter of the informant started
living married life with co-accused Guddu @ Gufran and she is
residing at Delhi. Since the victim girl apprehended some threats

from her father, she approached Delhi High Court by filing a writ petition vide W.P. (CrI) 705/2015 (Annexure-3/1 to the petition). By way of referring to Annexure-3/1 to the petition, learned counsel for the petitioners submits that Delhi High Court after examining the matter had directed the SHO, Police Station Jaitpur, New Delhi to ensure adequate police protection to the petitioners.

In view of facts and circumstances, particularly the order passed by Delhi High Court (Annexure-3/1 to the petition), the Court considers that it is a fit case for extending the privilege of anticipatory bail. Let the petitioners, namely, (i) Mithoo @ Hasnain @ Md. Hasnain (ii) Md. Abu Sama @ Abu Sama , in the event of their arrest or surrender within a period of one month from today, 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 learned Chief Judicial Magistrate, Araria in connection with Araria P.S. Case no.37 of 2015(G.R. No.237 of 2015), subject to conditions as laid down in Section 438(2) of the Code of Criminal Procedure.

(Rakesh Kumar, J)

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