

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51114 of 2014

Arising Out of PS.Case No. -97 Year- 2014 Thana -MOJAHIDPUR District- BHAGALPUR

- =====
1. Nisha daughter of Amzad Razza, resident of village- Mozahidpur (Gurhatta), P.S.- Mojahidpur, District- Bhagalpur
 2. Manisha daughter of Amzad Razza, resident of village- Mozahidpur (Gurhatta), P.S.- Mojahidpur, District- Bhagalpur
 3. Alisha daughter of Amzad Razza, resident of village- Mozahidpur (Gurhatta), P.S.- Mojahidpur, District- Bhagalpur
 4. Malika @ Malka daughter of late Ahmad Razza resident of village- Mozahidpur (Gurhatta), P.S.- Mojahidpur, District- Bhagalpur

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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with

Criminal Miscellaneous No.8019 of 2015

Arising Out of PS.Case No. -97 Year- 2014 Thana -MOJAHIDPUR District- BHAGALPUR

- =====
1. SANIA @ SANIA RAZA Wife of Amzad Raza
 2. Soni Wife of Amzad Raza
 3. Amzad Raza@Md. Amzad Raza Son of late Ahmad Raza all resident of village- Mozahidpur (Gurhatta) P.S.- Mojahidpur, District- Bhagalpur.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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with

Criminal Miscellaneous No.8315 of 2015

Arising Out of PS.Case No. -97 Year- 2014 Thana -MOJAHIDPUR District- BHAGALPUR

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Md. Arman @ Arman @ Md. Rakeeb @ Rakeeb Son of Md. Ziyarat, Resident of Mohalla- Nathnagar, Police Station- Nathnagar, District- Bhagalpur.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

(In Cr.Misc. No.51114 of 2014)

For the Petitioner/s : Mr. Sanjay Kumar Ghosarvey

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary 1 (App)

(In Cr.Misc. No.8019 of 2015)

For the Petitioner/s : Mr. Sanjay Kumar Ghosarvey

For the Opposite Party/s : Mr. Zainul Abedin(App)

(In Cr.Misc. No.8315 of 2015)

For the Petitioner/s : Mr. Md. Nurul Hoda
For the Opposite Party/s : Mr. Parmeshwar Mehta(App)

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CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL ORDER

2 14-05-2015

Heard learned counsel for the parties.

Having regard to the nature of allegation for offence under section 364A of the Indian Penal Code and the fact that the victim girl on recovery had accepted that she had run away with one Md. Aamir, co-accused and it is he who has caused physical and mental torture to her, this Court would not find any reason to deny privilege of anticipatory bail to the petitioners, who have got no criminal antecedent.

That being so, if the petitioners, 1. Nisha, 2. Manisha, 3. Alisha, 4. Malika @ Malka, 5. Sania @ Sania Raza, 6. Soni, 7. Amzad Raza @ Md. Amzad Raza and 8. Md. Arman @ Arman @ Md. Rakeeb @ Rakeeb, surrender before the court below within a period of four weeks from today, they shall be released 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 Chief Judicial Magistrate, Bhagalpur in Mojahidpur P.S. Case No. 97/2014, subject to the following conditions:

(i) That both the bailors will be a close relative of the petitioners who will give an affidavit giving genealogy

as to how they are related with the petitioners. The bailors will also undertake to inform the Court if there is any change in the address of the petitioners.

(ii) That the bailor shall also state on affidavit that he will inform the Court concerned if the petitioners are implicated in any other case of similar nature after their release in the present case and thereafter the Court below will be at liberty to initiate the proceeding for cancellation of bail on the ground of misuse.

(iii) That the petitioners will give an undertaking that they will receive the police papers on the given date and be present on the date fixed for charge and if they fail to do so on two given dates and delay the trial in any manner, their bail will be liable to be cancelled for reasons of misuse.

(iv) That the petitioners will be well represented on each and every date of trial and if they fail to do so on two consecutive dates, their bail will be liable to be cancelled on this ground alone.

surendra/-

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(Mihir Kumar Jha, J)