

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19348 of 2015

Arising Out of PS.Case No. -416 Year- 2014 Thana -BEGUSARAI MUFFASIL District-
BEGUSARAI

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1. Md. Kismat Son of Md. Akthar
2. Md. Sadre Alam @Md. Hasnain son of Md. Fakhruddin, Both Resident
of Village- Sankh, Taraiya, Mobarakpur, P.s - Muffasil, District- Begusarai.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sandip Kumar Gautam

For the Opposite Party/s : Mr. Indu Kumari Srivastava (App)

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH**

ORAL ORDER

- 2 01-05-2015 Heard learned counsels for the petitioners and the State.
- The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 376/34 of the Indian Penal Code.
- It is alleged against the petitioners that they caught hold of the informant when co accused Md. Tabarak alias Bhulla established forceful physical relationship with the informant. Subsequently, the informant was assured that Md. Tabarak will marry with her but he did not marry and the husband of the informant also divorced her as she got pregnant after the occurrence.
- It is submitted by the learned counsel for the petitioner

that for the occurrence of 7.2.2014 the complaint was filed on 28.8.2014 which came to be registered as police case on 22.11.2014 and thrust of accusation is against co accused Md. Tabarak. It is further submitted that there is no medical report on record. Statement has been made in paragraph 3 of the petition that the petitioners have no criminal antecedent.

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 CJM, Begusarai in connection with Begusarai Mufassil P.S. Case No. 416 of 2014 subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

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