

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39023 of 2015

Arising Out of Complaint Case No.. -476 Year- 2002 Thana -MADHEPURA COMPALINT CASE
District- MADHEPURA

- =====
1. Nurulla Ansari @ Md. Nurulla
 2. Abdulla Ansari @ Md. Abdulla
Both S/o Md. Ataulla Ansari
 3. Bibi Fatima W/o Ataulla Ansari
 4. Nasima Khatoon @ Sahida Khatoon @ Keli W/o Sahadulla

.... Petitioner/s

Versus

1. The State of Bihar.
2. Bibi Hazra Khatoon @ Dukhni D/o Md. Zainul Ansari

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Nafisuzzoha, Advocate

For the Opposite Party/s : Mr. G.S.Gupta(App)

=====

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 05-10-2015 Heard learned counsels for the petitioners and the

State.

The petitioners are apprehending arrest in a complaint case wherein process has been directed to be issued after cognizance being taken for the offences punishable under sections 354, 420, 363, 120B, 504 and 379 of the Indian Penal Code.

The prosecution case is that on the promise of marriage, petitioner no.1(Nurulla Ansari) took the complainant to Delhi and, thereafter, established forceful physical relationship. Subsequently, petitioner no.1 agreed to marry with

her when his brother petitioner no.2(Abdulla Ansari) signed an agreement but subsequently petitioner no.1 refused to marry with the complainant. It is further alleged that when father of the complainant went to make complaint then he was being assaulted and petitioner no.2 snatched his wrist watch and Rs.700/-.

It is submitted by learned counsel for the petitioners that the order of cognizance was passed on 07.08.2002 but never the summons have been issued against the petitioners and moreover Complaint Case No.466C of 2002 was filed by petitioner no.2 against the complainant's side.

Since the order of taking cognizance has been passed in 2002 and the specific accusation is levelled against petitioner no.1 Nurulla Ansari, this Court is not inclined to grant anticipatory bail to him, let the learned Court below consider the prayer for regular bail of the petitioner no.1, if he surrenders within a period of six weeks in connection with Complaint Case No.476 of 2002, pending before the learned SDJM, Madhepura.

So far as petitioners nos. 2 to 4 are concerned, considering the thrust of accusation against petitioner no.1, they have a case for consideration of prayer for regular bail, if they surrender within a period of six weeks in connection with

Complaint Case No.476 of 2002, pending before the learned
SDJM, Madhepura.

With the above observation, this application is,
accordingly, disposed off.

(Dinesh Kumar Singh, J)

Ashwini/-

U		T	
---	--	---	--