

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45506 of 2016

Arising Out of PS.Case No. -430 Year- 2016 Thana -FORBESGANJ District- ARRARIA

- =====
1. Md. Mudan @ Muddin son of late Ashraf
 2. Md. Mustkim @ Mustkim son of Md. Jalil
 3. Md. Ishaque son of Yakub
 4. Md. Habib son of Md. Mukjum All are residents of village - Choura Parwaha, P.S. - Forbesganj, Dist - Araria.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

- | | | |
|--------------------------|---|---------------------------------|
| For the Petitioner/s | : | Mr. Ramesh Kumar Singh, Adv. |
| For the Informant | : | Mr. Mukesh Kr. Rana, Adv. |
| For the Opposite Party/s | : | Mr. Sri Arun Kumar Pandey, APP. |
- =====

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 16-12-2016 Heard learned counsel for the petitioners as well as learned counsel for the informant and the learned counsel for the State.

The petitioners pray for anticipatory bail in connection with Forbesganj P.S. Case No. 430 of 2016 registered for the offences punishable under Sections 147, 341, 342, 354 (B), 355, 379, 500, 504, 509 and 506 of the Indian Penal Code.

It has been submitted on behalf of the petitioners that there is omnibus allegation against all the accused persons including the petitioners. It has further been submitted that as a matter of fact the informant was brought in the Panchayat for getting remarriage with the Md. Yusuf, who is already married and having eight children and whole villagers have been implicated in this case.

Learned counsel for the informant opposes the prayer of bail



application.

Learned counsel for the informant could not controvert the fact that there is omnibus allegation against the petitioners but the allegation is serious due to fact that informant was made naked and she was moved though out the village.

Considering the facts and circumstances of the case and other materials reflected from the record including the impugned order, I am not inclined to extend him the privilege of anticipatory bail. Accordingly the prayer for bail is rejected.

The petitioner may surrender before the court below within a period of three weeks from today and pray for bail, if he does so. The court below shall consider the same and disposed of the same on the same day on its own merit without being prejudiced by the present order.

Thus, this petition is accordingly disposed of.

(Vinod Kumar Sinha, J)

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