

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16018 of 2016

Arising Out of PS.Case No. -151 Year- 2015 Thana -NANHPUR District- SITAMARHI

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1. Md. Sadare Alam, Son of Abdul Hafiz
2. Sabiha Khatoon, Wife of Md. Sadare Alam,
Both R/o Village - Raipur, P.S. - Nanpur, District - Sitamarhi

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Ashok Kumar Jha, Advocate
For the State : Mr. Dashrath Mehta (App)

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CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN
ORAL ORDER

2 23-05-2016 Heard learned counsel for the petitioners and

learned A.P.P. for the State.

Petitioners apprehend their arrest in a case filed
under Sections 363, 366A, 376, 120B of the Indian Penal Code.

It is contended that specific allegation is against
accused nos. 1 and 4, namely, Md. Aftab, son of the petitioners,
and Md. Shaukat of kidnapping and raping the complainant.
However, story, as set out in the complaint case which has been
sent to the police for investigation on which F.I.R. was lodged, it
appears to be a cock and bull story. If the complainant/informant
was being taken to Mumbai by train forcibly by accused nos.1 and
4 then it is intriguing as to why she could not raise alarm even
though so many people must have been traveling in the train.
Further, even though it is stated in the complaint case that she

returned on 27.12.2014 from Mumbai, the complaint case was filed after about four months for which there is no explanation. However, it is submitted that allegation against the petitioners is that they abused and slapped her and threw the complainant out of their house only. There is no allegation against the petitioners of any rape or overt act upon the informant/complainant except the aforesaid. It is further contended that they have been implicated in this case only for the reason that they are the parents of accused no.1, Md. Aftab.

Having regards to the facts and circumstances of the case, in the event of arrest/surrender within a period of six weeks from today in Nanpur P.S. Case No.151/2015, the above named petitioners, Md. Sadare Alam and Sabiha Khatoon shall be released on bail on furnishing bail bond of Rs.10,000(Ten Thousand Rupees) each with two sureties of the like amount each to the satisfaction of S.D.J.M., Pupri at Sitamarhi subject to the conditions as laid down under sub-section(2) of Section 438 of the Code of Criminal Procedure.

(Dr. Ravi Ranjan, J)

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