

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 31786 of 2016

Arising Out of PS.Case No. -92 Year- 2016 Thana – INDUSTRIAL AREA District- BUXAR

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1. Raufa Miya, Son of Chhotak Miya
2. Sayra Begum, wife of Md. Sadique
3. Khushboo Praveen @ Khushboo, Daughter of Md. Sadique
All resident of Barki Sonimpur, P.S.- Industrial Area, District- Buxar.
..... Petitioners

Versus

The State of Bihar
..... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Kumar Rajeev, Adv.
For the Opposite Party/s : Mr. Amit Kumar Rakesh, A.P.P.
Mr. Mohit Srivastava, Adv.

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2. 24-08-2016 Heard Sri Kumar Rajeev, learned counsel for petitioners, Sri Amit Kumar Rakesh, learned Addl. Public Prosecutor as well as Sri Mohit Srivastava, learned counsel, who has voluntarily appeared on behalf of informant.

Three petitioners, apprehending their arrest in Industrial Area P.S. Case No. 92 of 2016 registered for the offence under Section 376 of the Indian Penal Code, have prayed for grant of anticipatory bail.

At the very outset, learned counsel for petitioners submits that during the pendency of this petition, petitioner no. 1 (Raufa Miya) has already been arrested.

Accordingly, the petition, so far as petitioner no. 1 is concerned, is dismissed as same has become infructuous.

Learned counsel for petitioners, by way of referring to

F.I.R., submits that the informant has alleged that since three years prior to filing of F.I.R., she was sexually harassed by one Javed Alam, son of petitioner no. 2 and brother of petitioner no. 3. By way of referring to F.I.R., it was argued that in any event, it cannot be believed that mother and sister will allow to commit such offence.

Besides hearing, I have also perused the materials on record. After going through the same, the Court is satisfied that it is a fit case for extending the privilege of anticipatory bail to petitioner no. 2 (Sayra Begum) mother of the main accused and petitioner no. 3 (Khushboo Praveen @ Khushboo) sister of the accused.

Accordingly, in the event of arrest or surrender within a period of six weeks from today, let both the petitioners namely Sayra Begum and Khushboo Praveen @ Khushboo be enlarged on bail on furnishing bail-bonds of **Rs. 10,000/-** (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Buxar in connection with Industrial Area P.S. Case No. 92 of 2016, subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Rakesh Kumar, J.)

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