

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.53684 of 2016

Arising Out of PS.Case No. -399 Year- 2015 Thana -CIVIL LINE District- GAYA

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1. Md. Khalil, son of late Md. Jahud.
2. Md. Feku, son of Md. Khalil.
3. Md. Samshad, son of Md. Khalil,
4. Md. Nasru @ Md. Nasruddin @ Nasru, son of Farku,
All residence of Village- Nadraganj, P.S. Civil Line, District Gaya
..... Petitioners

Versus

The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. Kunwar Narayan Jamuar

For the Opposite Party/s : Mr. Dr.Mrityunjaya Kr.Gautam

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 19-12-2016 Heard learned counsel for the petitioners and learned counsel representing the State.

Petitioners apprehend their arrest in connection with Civil Line P.S. Case No. 399 of 2015 registered for the offence punishable under Sections 376 of the Indian Penal Code.

Allegedly, Md. Shibu developed physical relationship with minor girl of the informant, resulting, she became pregnant and when Md. Rizwan went to negotiate marriage, he was asked to arrange money and they abused and assaulted him.

Submission is of false implication and that against the petitioners there is no allegation of committing rape, the only allegation is that they did not become ready for marriage and for



that they abused and assaulted, they are not named in the formal first information report but in the body of the written application they are named. They have been unnecessarily implicated in this case only with a view to put pressure and as such they deserve sympathetic consideration to which learned APP fairly submits that the allegation of rape is against one Shibu.

In the facts and circumstances stated above, the petitioners above named, in case of their arrest or surrender within four weeks from the date of receipt/production of a copy of this order, shall be released on bail on execution of bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge IX, Gaya in S. T. No. 115 of 2016 arising out of Civil Line P.S. Case No. 399 of 2015, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Jitendra Mohan Sharma, J)

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