

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53146 of 2016

Arising Out of PS.Case No. -31 Year- 2016 Thana -MAHILA P.S. District- KISANGANJ

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1. Mazrul Alam
2. Musfique Alam @ Margub Alam
3. Mojamnil Alam and
4. Nafis Alam All sons of Late Sagiruddin All resident of Ambari
Chunamari, Police Station- Kochadhaman, District- Kishanganj.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dilip Kumar Singh

For the Opposite Party/s : Mr. Chandra Bhushan Prasad

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

3 23-12-2016 Heard learned counsel for the petitioners and the
learned A.P.P. for the State.

The petitioners apprehend their arrest in connection
with Mahila P.S. Case No. 31 of 2016 registered under Sections
344, 498, 498A, 504, 506, 376/34 and 313 of the Indian Penal
Code.

Learned counsel appearing on behalf of the
petitioners submits that petitioners have falsely been implicated in
this case. The informant in her statement recorded under Section
164 Cr. P.C. specifically stated that the petitioners were only
present there. The allegation of rape has been levelled against the
co-accused Muzaffar Alam, brother of the petitioners, not against



these petitioners. Moreover, there is no allegation of kidnapping in the F.I.R.

Having considered the facts and circumstances of the case, let the above named petitioners be released on bail, in the event of arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the S.D.J.M., Kishanganj in connection with Mahila P.S. Case No. 31 of 2016, subject to the condition as laid down under Section 438(2) of the Cr. P.C.

(Arvind Srivastava, J)

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