

IN THE HIGH COURT OF JUDICATURE AT PATNA  
Criminal Miscellaneous No.1769 of 2016

Arising Out of PS.Case No. -116 Year- 2015 Thana -BALRAMPUR District- KATIHAR

1. Md. Aklu, Son of Fasiuddin  
2. Janera Khatoon, W/o Fasiuddin

Both R/o Village- Sadipur Kabilpur, P.S. Balrampur, District- Katihar

.... .... Petitioners

Versus

The State of Bihar

.... .... Opposite Party

Appearance :

For the Petitioner/s : Md. Helal Ahmad, Advocate  
For the Opposite Party/s : Mr. B. N. Pandey, APP

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL ORDER

3 11-04-2016 Heard learned counsel for the petitioners and learned  
counsel for the State.

The petitioners seek pre-arrest bail in connection with  
Balrampur P. S. Case No. 116 of 2015 registered under Sections  
376, 313/34 of the Indian Penal Code.

Regard being had to the specific allegation against  
petitioner no. 1, namely, Md. Aklu that he committed rape upon  
the informant, I am not inclined to grant him pre-arrest bail.  
Accordingly, his prayer for grant of pre-arrest bail is rejected.

So far as petitioner no. 2, namely, Janera Khatoon is  
concerned, taking into consideration the fact that she happens to

be the mother of the petitioner no. 1 and there is no allegation of even abetment against her, in the event of arrest or surrender before the court below within four weeks from today, she is directed to be released on bail on furnishing bail bond of Rs.10,000/- ( Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Katihar in Balrampur P. S. Case No. 116 of 2015, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

**(Ashwani Kumar Singh, J.)**

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