

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36363 of 2016

Arising Out of PS.Case No. -43 Year- 2013 Thana -MAHILA P.S. District- ARRARIA

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1. Md. Israfil @ Mister S/O Md. Fulwa
2. Babulin S/O Md. Mustkin
3. Zahiran Khatoon W/o Late Dukhiya Nut
4. Tajmul Khatoon w/o Md. Israfil All are Resident of village- Piprahi, P.S.- Lakaha, District- Madhubani

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Prasad Singh

For the Opposite Party/s : Mr. Sri Anish Chandra

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 14-12-2016 Heard learned counsel for the petitioners and the State.

The petitioners are apprehending their arrest in a case instituted under Sections 347, 323, 504, 506, 366, 370, 468 and 120B/34 of the Indian Penal Code and 3, 4, 5 and 6 of the Immoral Traffic Act.

Prosecution case is that the victim after settlement with her husband started to live with him. Thereafter, accused persons took her forcibly along with her mother-in-law, confined her in the house of accused petitioners and threatened her to sell at brothel if she would not follow their words.

It has been submitted on behalf of the petitioners that they have falsely been implicated in the present case. No allegation of tampering of witnesses is alleged against petitioners. They have been made accused due to mistake of fact. Subsequently, the parties have compromised among themselves which is evident from Annexure-2 to the present application.



On behalf of the State, it is submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, let the above named petitioners, in the event of arrest or surrender in the court below within a period of six weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand only) each with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Araria, in connection with Araria Mahila P.S. Case no. 43 of 2013, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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