

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.9751 of 2017**

Arising Out of PS.Case No. -99 Year- 2015 Thana -SINGHIYA District- SAMASTIPUR

1. Md. Ful Hassan @ Md. Phool Hassan, Son of Late Md. Kamruddin,
2. Md. Mojib Son of late Md. Hanif, Both resident of Village- Nimi, P.S.- Singhiya, District- Samastipur (Bihar).

.... Petitioner/s

Versus

## 1. The State of Bihar.

.... .... Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Vinay Kumar Mishra

For the Opposite Party/s : Mr. Sri Sanjay Kumar Singh

**CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH**  
**ORAL ORDER**

2      08-03-2017      The petitioners seek pre-arrest bail in connection  
with Singhiya P.S.Case No. 99 of 2015 registered under Sections  
366-A, 341, 323, 506 and 504/34 of the Indian Penal Code.

Their earlier application filed under Section 438 of the Code of Criminal Procedure was rejected by this Court vide order dated 12.04.2016 passed in Cr.Misc. No. 2545 of 2016. It would be evident that since then the petitioners are evading arrest.

Be that as it may, regard being had to the statement of the victim, a minor girl aged about 15 years, that she was forcibly abducted by the petitioners and raped by petitioner Md. Mojib and one Md. Nisar, I am not inclined to reconsider the application filed under Section 438 of the Code of Criminal Procedure. Accordingly, the application is rejected.

(Ashwani Kumar Singh, J)

Pradeep/-

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