

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47620 of 2016

Arising Out of PS.Case No. -100 Year- 2016 Thana -AMAUR District- PURNIA

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1. Bibi Jummi @ Bibi Zumni wife of Sahid
2. Sahid son of Fajlu Both residents of Kanhariya, P.S. - Amour, District - Purnia.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Parvina Khatoon daughter of Md. Mustaque resident of Kanhariya, P.S. - Amour, District - Purnia.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. N. K. Agrawal, Sr. Advocate
Mr. Diwakar Upadhyaya, Advocate
For the Opposite Party/s : Sri Yogendra Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 12-01-2017 This is an application for grant of anticipatory bail for offences punishable under Sections 376, 313 and 34 of the Indian Penal Code.

Heard learned counsel for the petitioners.

It has been submitted on behalf of the petitioners that they have falsely been implicated in the present case. From perusal of the record it appears that one after another several cases were filed by this informant and lastly the present case has been filed. It has further been submitted that prior to filing of the present case, petitioners had filed a case against the informant and just to take vengeance against the petitioners the present case has been filed.

Heard learned A.P.P. as well as learned counsel for



the informant.

It has been submitted by the learned counsel for the informant that as a matter of fact the informant had withdrawn the first case and thereafter she has filed another case and that was also withdrawn. Later on, in view of the above facts the present case had been filed and the police has made investigation and submitted Chargesheet against the accused persons. As such, petitioners do not deserve anticipatory bail.

Having heard both sides, in view of the fact that there is direct allegation against the petitioners, I am not inclined to grant anticipatory bail to the petitioners.

However, petitioners may surrender in the court below, i.e., learned A.C.J.M.-VI, Purnia, in connection with Amour P. S. Case no. 100 of 2016 and make prayer for regular bail which will be considered on its own merit without being prejudiced by the order of this Court.

With the aforesaid observation the application is dismissed.

(Vinod Kumar Sinha, J)

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