

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50195 of 2017

Arising Out of PS.Case No. -6 Year- 2017 Thana -MAHILA P.S. District- SAHARSA

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1. Bibi Ishrat @ Bibi Ishrat Bano @ Sanno @ Bibi Bibi Ishrat, W/o Md. Akhtar,
2. Bibi Afsida @ Afsida Khatoon W/o Md. Sabih,
3. Md. Sabih @ Md. Sabihuddin Son of Md. Sarfuddin.
4. Md. Aftar Son of Md. Sabih @ Md. Sabihuddin , All R/o Village- Hareba, P.S.- Salkhua, District- Saharasa.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Diwakar Prasad Singh

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

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 14-11-2017

Heard learned counsel for the petitioners and the State.

The petitioners apprehend arrest in Saharsa Mahila P.S. Case No. 06 of 2017 instituted for the offence under Section-376 & other minor Sections & other minor Sections of the Indian Penal Code and 4 of POCSO Act.

It has been submitted that there is specific allegation against Asif. These petitioners are family members of Md. Asif. There is no specific allegation of overt act against these petitioners. In paragraph-3 of the petition, it has been mentioned that the petitioners have no criminal antecedent.

In such circumstances, prayer for anticipatory bail is allowed and it is ordered that the petitioners named above in the event



of their arrest or surrender in the court below within six weeks from the date of receipt/production of copy of this order, shall be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with in Saharsa Mahila P.S. Case No. 06 of 2017 to the satisfaction of Additional District & Sessions Judge-I, Saharsa subject to condition as laid down u/S 438(2) of the Cr.P.C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioners shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason, will automatically cancel bail bond of the petitioners and (3) if petitioners tamper with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioners.

(Sanjay Priya, J)

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