

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4445 of 2017

Arising Out of PS.Case No. -93 Year- 2016 Thana -MAHILA P.S. District- ARRARIA

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1. Jamshed, S/o Jhato @ Jhatu Mian,
2. Nazrul Haque @ Md. Nazrul, S/o Md. Dulal,
3. Niyaz @ Niyazuddin, S/o Jamshed,
4. Satabul @ Satabur Rahman, S/o Nasiruddin,
All residents of Village- Latari, P.S.- Bounsi, District- Araria.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Sanjay Kumar Sharma, Advocate
For the Opposite Party : Mr. Bharat Bhushan (APP)

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 14-02-2017 Heard learned counsel for the petitioners and the

State.

The petitioners apprehend their arrest in Araria Mahila P.S. Case No. 93 of 2016 instituted for the offence under Sections 376, 384, 323 and 506/34 of the Indian Penal Code.

It has been submitted that there is specific allegation of committing rape with the informant against Anamul Haque. The victim girl gave her statement under Section 164 of Cr.P.C. wherein also, she has levelled specific allegation of committing rape with her against Anamul Haque and he assured to the victim to marry her. Petitioner nos. 1 and 3 are said to be family members of Anamul Haque and petitioner nos. 2 and 4 are villagers, who



attended the panchayati.

From the written report as well as statement of victim under Section 164 of Cr.P.C., there is no allegation of any overt act against these petitioners. In the circumstances, prayer of the petitioners for anticipatory bail is allowed.

In the event of surrender/arrest of the petitioners, named above, within six weeks from today in connection with Araria Mahila P.S. Case No. 93 of 2016, they shall be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Araria, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Sanjay Priya, J.)

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