

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36273 of 2017

Arising Out of PS.Case No. -147 Year- 2016 Thana -BHARGAWAN District- ARRARIA

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1. Ruby @ Ruby Khatoon daughter of Yasin @ Md. Yasin, wife of Abrar @ Akbar
 2. Chunni @ Naznine @ Nazir wife of Ibrar @ Babu @ Md. Ibrar
 3. Anjum @ Anjum Khatoon wife of Yasin @ Md. Yasin
 4. Abrar @ Akbar son of Istiyaque @ Iftakhar resident of village - Bishaharia, Police Station - Bhargama, District - Araria.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jay Prakash Singh, Advocate

For the Opposite Party/s : Mr. Sri Parmanand Prasad (APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

5 08-11-2017 Heard learned counsel for the petitioners and the learned counsel representing the State.

The petitioners want to renew the prayer of pre-arrest bail which was earlier rejected vide order dated 30.01.2017 passed in Cri. Misc. No. 838 of 2017, on the ground that Md. Arif has returned and his statement has been recorded under Section 164 Cr.P.C. vide para 121 of the case diary and, as such, the allegation that the petitioners and others made Gulesa Khatoon and Md. Arif traceless with an intention to kill them in the night become suspicious. From the statement of Md. Arif, it reveals that his mother was assaulted and further what has happened to his mother



he cannot say and as such the petitioners who have got no concern deserve sympathetic consideration.

The learned A.P.P. seriously opposes the prayer of pre-arrest bail by submitting that still Gulesa Khatoon is traceless and it reveals that she might have been killed and her dead body has been disposed of. There is serious allegation against the petitioners.

In the facts and circumstances stated above, finding no good ground for reconsideration of prayer of the pre-arrest bail, again prayer of the bail of the petitioners stands rejected.

However, the petitioners may surrender and seek regular bail and then their prayer for regular bail shall be considered on its own merits without being prejudiced by the order of this Court specially in view of the statement of Md. Arif recorded under Section 164 Cr.P.C.

(Jitendra Mohan Sharma, J.)

Rajiv/-

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