

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26149 of 2018

Arising Out of PS. Case No.-51 Year-2017 Thana- MAHILA P.S. District- Araria

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Md. Shaukat @ Shaukat, son of Ful Mohammad, Resident of village -
Gayaspur, Police Station - Palasi, District- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raj Kumar, Advocate

For the Opposite Party/s : Sri Ram Bachan Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 03-05-2018 Heard Sri Raj Kumar, learned counsel for the

petitioner and Sri Ram Bachan Singh, learned Additional Public

Prosecutor.

The sole petitioner, who is in custody in connection
with Araria (Mahila) P.S. Case No. 51 of 2017, registered for
the offences under Sections 376 / 313/ 341/323/ 34 of the Indian
Penal Code, 1860 (hereinafter referred to as the "I.P.C.") and
later on, Section 302 of the I.P.C. was added, has prayed for
grant of bail.

Learned counsel for the petitioner by way of referring
to the F.I.R. submits that main accusation was made against co-



accused Sohrab, who is the brother of the petitioner. Against Sohrab allegation was made that he by way of enticing the daughter of informant, who was aged about 22 years, had committed rape. Thereafter, assurance was given to marry her. In the meanwhile, daughter of the informant conceived. Subsequently, four accused persons with assurance to marry the daughter of informant shifted her in a private hospital in *Jokihat* and forcibly abortion was done. Against petitioner there is allegation that he assisted other accused regarding abortion. Besides this, it has also been argued that two F.I.R. named accused namely, Md. Fool Mohammad and Bibi Sahnaz have already been extended the privilege of anticipatory bail by order dated: 12.02.2018 passed in Cr. Misc. No. 1207 of 2018.

Learned Additional Public Prosecutor has opposed the prayer, however, considering the materials available on record particularly the facts disclosed in the F.I.R., which categorically suggests accusation against the brother of the petitioner, there is no reason to further detain the petitioner.

Accordingly, let the petitioner Md. Shaukat @ Shaukat be enlarged on bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Araria /



concerned court in connection with Araria (Mahila) P.S. Case
No. 51 of 2017 .

(Rakesh Kumar, J)

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