

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.1207 of 2018**

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

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1. Md. Saukat son of Md. Fool Mohammad
  2. Md. Fool Mohammad son of Late Nawab Ali
  3. Bibi Sahnaz wife of Md. Fool Mohammad

All are resident of viilage-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. Mukesh Kumar Rana  
For the Opposite Party/s : Mr. UMESH LAL VERMA

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**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH**  
**ORAL ORDER**

3      12-02-2018      Heard the learned counsel for the petitioners and the  
learned A.P.P. for the State.

After some arguments, the learned counsel for the  
petitioners prays for withdrawal of the anticipatory bail petition  
of the petitioner no. 1 who is the brother of the main accused  
namely Md. Sohrab, who is already in custody, with a liberty to  
surrender and file a regular bail petition.

The present petition is disposed off as withdrawn as far as  
the petitioner no. 1 is concerned.

Now coming to the merits of the case, the allegation of the  
prosecution is regarding the aforesaid Md. Sohrab establishing  
physical relationship with the daughter of the informant and  
thereafter promising to marry her and when the daughter of the



informant was being taken to another place for the purposes of marriage by all the accused persons, the said persons are said to have forcibly got the foetus of the victim girl aborted which resulted in infection and the said victim girl died subsequently.

The learned counsel for the petitioners submits that the petitioners no. 2 and 3 herein are mother and father of the aforesaid Md. Sohrab who is already languishing in custody and who is the main accused in the present case as such the petitioners no. 2 and 3 should be granted the privilege of anticipatory bail since they do not have anything to do with the alleged occurrence. It is further submitted that compromise has already taken place between the parties and the petitioners no. 2 and 3 as also other members of both the sides are closely related to each other.

Having regard to the facts and circumstances of the case, I deem it fit and proper to admit the petitioners no. 2 and 3 herein to the privilege of anticipatory bail, in the event of their arrest or surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Araria in connection



with Araria Mahila P.S. Case No. 51 of 2017 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

**(Mohit Kumar Shah, J)**

S.Sb/-

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