

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.70673 of 2018

Arising Out of PS. Case No.-13 Year-2018 Thana- MAHILA PS District- Darbhanga

-
1. Muztaba @ Saddam
 2. Md. Alkama Both Sons of Md. Murtuza, resident of Village- Saraiya, P.O.- Thermavia- Kersa Barwari, P.S. Simri, District- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shama Sinha

For the Opposite Party/s : Mr. Yogendra Kumar

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 17-12-2018 Heard learned counsels for the parties.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 323,504,506,427,448 and 354A/34 of the IPC.

The prosecution case as per the written report of Safina Khatoon submitted to the SHO, Laheriasarai Police Station is to the effect that on 17.2.2018 at 7 P.M. both the petitioners along with three-four unknown persons entered into the house of the informant and tried to drag the daughter of the informant out of her room, namely, Afrin Parveen. On alarm being raised by the daughter of the informant, informant rushed to her room where the accused persons abused the informant and pointed pistol on her temporal region. The accused persons made assault to the informant and her daughter. It is further alleged that petitioner no. 1 Muztaba alias Saddam earlier also used to tease the daughter of



the informant while she used to attend classes in college.

It is submitted by learned counsel for the petitioners that for the occurrence of 18.2.2018, the written report has been submitted on 1.3.2018. It is further submitted that petitioners are nephew of the informant and they are adjacent neighbour of the informant and in the background of the land dispute, the accusation has been levelled against the petitioners and the informant earlier also used to threat for instituting false case with accusation of rape against the petitioners and for that, informatory petition has been filed by the petitioners side. Statement has been made in paragraph 3 of the petition that the petitioners are not having any criminal antecedent.

Learned APP submits that accusation is specific against the petitioners.

Considering the delayed lodging of the case, the statement being made in the petition that the petitioners are not having criminal antecedent and there being no medical report on record, let the petitioners above named be released on anticipatory bail in the event of arrest or surrender within 12 weeks on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned CJM, Darbhanga in connection with Mahila P.S. Case No.13 of 2018 subject to



the conditions laid down in Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

anil/-

U			
---	--	--	--

