

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12069 of 2018

Arising Out of PS. Case No.-137 Year-2016 Thana- SURSAND District- Sitamarhi

Md. Rashid, Son of Md. Zalil, Resident of Village- Kamaldah, P.S.- Bathnaha,
District-Sitamarhi.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Alok Kumar Jha

For the Opposite Party/s : Mr. Yogendra Kumar

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 27-02-2018 Heard learned counsels for the petitioners and State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 341, 323, 365, 366 and 376 of the IPC.

The prosecution case got initiated with the filing of Complaint Case No. 236 of 2016 by Najinee Khatoon, which ultimately got registered as Sursand P.S. Case No. 137 of 2016, after the complaint case being transferred under Section 156(3) of the Cr. P.C.

The prosecution case as per the complaint petition is that the complainant fell in love with co-accused Md. Sahid. On assurance of marriage, Md. Sahid took the complainant to Surat, where he used to establish physical relationship, but subsequently, Md. Sahid did not perform marriage. On



05.07.2016, Md. Sahid brought the complainant to his native village, Kamaldah, then the petitioner, being the father of Md. Sahid and other family members did not allow the complainant to reside in his house and also started assaulting her. Thereafter, Md. Sahid and Md. Mubarak also pressurized the complainant to leave their parents' house. On 07.07.2016, the complainant was driven out from the house of the petitioner.

It is submitted by learned counsel for the petitioner that for the initial occurrence of 22.06.2016, the complaint was filed on 11.07.2016, which came to be registered as a police case on 01.08.2016. The thrust of accusation is against Md. Sahid and Md. Mubarak. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP submits that the petitioner also contributed in commission of offence.

Considering the fact that thrust of accusation is against Md. Sahid, let the above named petitioner be released on anticipatory bail in the event of arrest/surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Chief



Judicial Magistrate, Sitamarhi in connection with Sursand P.S.
Case No. 137 of 2016, subject to the condition as laid down
under Section 438(2) of the Cr. P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

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