

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36141 of 2018

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

1. Farman @ Farman Ali, S/o Ali Asgar,

2. Ali Asgar, S/o Gulam Sadani,

Both R/o Village- Fida Bigha, PS- Rafiganj, District- Aurangabad.

.... Petitioners

Versus

The State of Bihar.

.... Opposite Party

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Singh, Advocate

For the Opposite Party/s : Mr. Mukeshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL ORDER

2 03-07-2018 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

The petitioners seek pre-arrest bail in connection with
Mahila P. S. Case No.13 of 2018 registered under Sections 448,
376 and 323 read with 34 of the Indian Penal Code.

It is submitted by the learned counsel for the
petitioners that they are completely innocent and have been falsely
implicated in this case as Md. Irfan, brother of petitioner no. 1
Farman and son of petitioner no. 2 Ali Asgar was having affairs
with the informant and when he refused to marry her, she instituted
a false case of rape against him. It is further submitted that as far



as the petitioners are concerned, no ingredient of any non-bailable offence is attracted against them.

On the other hand, learned Additional Public Prosecutor for the State submitted that as far as the petitioners are concerned, it is alleged in the FIR that when the informant went to complain them regarding the act of Md. Irfan, they abused and assaulted the informant and others.

Considering the facts and circumstances of the case, in the event of arrest or surrender before the court below within six weeks from today, the petitioner named above are directed to be released 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 SDJM, Aurangabad in Mahila P. S. Case No.13 of 2018, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Ashwani Kumar Singh, J.)

Kanchan/-

U		T	
---	--	---	--

