

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.1057 of 2018

Arising Out of PS.Case No. -500 Year- 2016 Thana -ARARIA District- ARARIA

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Rafat Begum, Wife of Md. Faiyazul Haque, resident of Village- Khagra
Mandir Road, Ward No. 31, Police Station-Kishanganj, District-
Kishanganj.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Viveka Nandsingh, Advocate

For the Opposite Party/s : Mr. Satyendra Narayan Singh, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL ORDER

2 17-01-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks pre-arrest bail in connection
with Araria P.S. Case No.500 of 2016 registered under Sections
341, 324, 448, 406, 504 and 506 read with 34 of the Indian Penal
Code.

It is submitted by the learned counsel for the
petitioner that even if the entire prosecution allegation is
accepted to be true at its face value, the offence alleged under
Section 406 of the Indian Penal Code could not be attracted



against her. He submitted that the dispute is purely of civil nature for which a criminal case has been instituted in order to extort money from the petitioner and her husband.

Learned counsel for the State opposed the application for grant of pre-arrest bail to the petitioner.

Regard being had to the nature of allegation made in the FIR and submissions made above, in the event of arrest or surrender in the court below within six weeks from today, the petitioner is 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 the learned Chief Judicial Magistrate, Araria in connection with Araria P.S. Case No. 500 of 2016 subject to the conditions as laid down under Section 438(2) Cr. P.C.

(Ashwani Kumar Singh, J.)

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