

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.67912 of 2018

Arising Out of PS. Case No.-31 Year-2018 Thana- MAHILA P.S. District- Samastipur

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1. Md. Rahamtullah @ Rahamtullah S/o Md. Abbas
 2. Md. Tamanna @ Md. Tamanne S/o Late Maksud Both are R/o Village Gaddopur MominTola,P.S. N.B. Bangara,Distt.- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gajendra Kumar Singh

For the Opposite Party/s : Mr. Sanjay Kumar Sharma

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 14-12-2018 Heard learned counsels for the parties.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 341,323,504 and 376/34 of the IPC and Section 4 of POCSO Act.

The prosecution case as per the written report of Asmun Khatoon submitted to the SHO, Samastipur Mahila Police Station is to the effect that on 12.7.2018 at 2 P.M., the informant's daughter, namely, Gulafsa Praveen went outside to ease but did not return. Subsequently, she was found unconscious in naked condition in a field. Thereafter, she was brought home and when she regained consciousness, she stated that co-accused Md. Ejaj, Md. Gulab and Md. Azad ravished her. It is further alleged against the petitioners, being father of Md. Ejaj and



brother of Md. Ajad that when the informant went to complain, they abused her.

It is submitted by learned counsel for the petitioners that the accusation of ravishing the daughter of the informant is not against the petitioners and they have been roped in the present case simply because they are father and brother of Md. Ejaj and Md. Ajad respectively. Statement has been made in paragraph 3 of the petition that the petitioners are not having any criminal antecedent.

Considering the thrust of accusation against co-accused persons, 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, Samastipur in connection with Samastipur Mahila P.S. Case No.31 of 2018 subject to the conditions laid down in Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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