

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18032 of 2018

Arising Out of PS.Case No. -868 Year- 2017 Thana -KHAZANIHAT District- PURNIA

- =====
1. Rubiya Khatoon, W/o Manish Khalifa, R/o Coolipara, Rahmat Colony, P.S.- Town (Katihar), District- Katihar.
 2. Salman Nut, S/o Late Jamir Nut, R/o Bishanpur ward No.1, P.S.- Kochadhaman, District- Kishanganj.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Hussain, Advocate

For the Opposite Party/s : Smt. Pushpa Sinha, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4/ 25-04-2018

Heard learned counsel for the petitioners and learned

APP for the State.

Petitioners apprehend their arrest in **K. Hat (Maranga) P.S. Case No.868 of 2017** instituted for the offence under Section(s) 376 Indian Penal Code and Section 3, 4, 5 and 6 of the Immoral Traffic Act.

Counsel for the petitioners submits that there is no allegation of any specific overt act against these petitioners. Victim girl has given statement under Section 164 Cr. P. C., wherein, also she has not levelled any specific overt act against the petitioners. There is specific allegation against Manish Khalifa.



In the facts and circumstances of the case, prayer of the petitioners for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioners, named above, within six weeks from today in connection with **K. Hat (Maranga) P.S. Case No.868 of 2017**, they shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the **Chief Judicial Magistrate, Purnea**, subject to the conditions as laid down under Section 438(2) Cr. P. C. with further conditions: (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioners shall cooperate in the trial and shall be present on each and every date fixed by the court and their absence on two consecutive dates without proper and reasonable reason will be liable to cancel their bail bonds and (3) if petitioners tamper with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioners.

(Sanjay Priya, J)

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