

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4328 of 2019

Arising Out of PS. Case No.-12 Year-2016 Thana- MAHILA P.S. District- Araria

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1. Md. Raihan Raza @ Raihan Raza S/o Qari Ghulam Yasin Resident of Village- Chihania, P.S- Mahalgaon (Jokihat) Dist- Araria (Bihar)
 2. Hazra @ Bibi Hazra W/o Quari Ghulam Yasin Resident of Village- Chihania, P.S- Mahalgaon (Jokihat) Dist- Araria (Bihar)
 3. Md. Hasan Raza @ Hasan Raza S/o Qari Ghulam Yasin Resident of Village- Chihania, P.S- Mahalgaon (Jokihat) Dist- Araria (Bihar)
 4. Ali Raza S/o Qari Ghulam Yasin Resident of Village- Chihania, P.S- Mahalgaon (Jokihat) Dist- Araria (Bihar)

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shakil Ahmad Khan
For the Opposite Party/s : Mr.Jagdhar Prasad

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 28-01-2019 Heard both sides.

The petitioners apprehend their arrest in Araria (Mahila) P.S. case No. 12 of 2016 registered under Section 376, 313, 511, 504, 506/34 of the Indian Penal Code and under Section 4 of the Dowry Prohibition Act.

The informant alleged that on the pretext of marriage the petitioner No.1 committed rape with her for months and she became pregnant but later on the petitioners demanded dowry and refused to marry.

The learned counsel for the petitioners submits that the victim made her statement u/s 164 of the Cr. P.C. and she



disclosed that marriage had taken place earlier and now all the disputes have been resolved.

Considering the facts that informant herself disclosed that marriage had earlier taken place but on account of some dispute she lodged the case but now the dispute has been resolved, the petitioners, above named, in the event of their arrest or surrender before the learned court below within a period of four weeks from the date of receipt/ production of a copy of this order are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Araria in connection with Araria (Mahila) P.S. Case No. 12 of 2016, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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