

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15600 of 2019

Arising Out of PS. Case No.-513 Year-2018 Thana- KAHALGAON District- Bhagalpur

1. Md. Nasir, Son of Md. Ainul Resident of Village-Pakadtalla, P.S.-Kahalgaon, District-Bhagalpur.
2. Bibi Abda @ Bibi Abida @ Bibi Apda Wife of Md. Belal Resident of Village-Pakadtalla, P.S.-Kahalgaon, District-Bhagalpur.
3. Tara Khatoon @ Most. Jahan Ara @ Most. Jahira Wife of Late Md. Pokti Resident of Village-Pakadtalla, P.S.-Kahalgaon, District-Bhagalpur.
4. Tafsum Khatoon @ Bibi Tabassum @ Tafsun Khatoon Wife of Md. Parwej Resident of Village-Pakadtalla, P.S.-Kahalgaon, District-Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shiwesh Chandra Mishra

For the Opposite Party/s : Mr. Dr. Kumar Uday Pratap

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 13-03-2019 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners are apprehending their arrest in a case registered under Sections 365, 323, 379, 504, 506 and 376 of the Indian Penal Code.

The prosecution case, in short, is that on the pretext of marriage, the accused person established relation with the informant and later the family members of the accused persons thrown her out of the house.

It has been submitted on behalf of the petitioners that



the petitioners have got no criminal antecedent. The petitioners have been made accused due to mistake of fact. From perusal of the F.I.R. itself, it is evident that the informant had gone along with Md. Kudrat out of her own will. The medical evidence shows that there is no sign of rape. Whatever alleged is against the co-accused namely Md. Kudrat. The petitioners have been made accused as they are relatives of Md. Kudrat.

On behalf of the State, it is submitted that the petitioners are named in the F.I.R./complaint case.

Considering the aforesaid facts and circumstances, let the petitioners, above named, in the event of arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhagalpur in connection with Kahalgaon P.S. Case No. 513 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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