

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17384 of 2019

Arising Out of PS. Case No.-439 Year-2018 Thana- BAHERA District- Darbhanga

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1. RABINA KHATOON D/o Md. Suleman Resident of Village- Dherakh, P.S.- Bahera, District- Darbhanga.
 2. Sulekha Khatoon @ Zulekha Khatoon W/o Md. Suleman Resident of Village- Dherakh, P.S.- Bahera, District- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vinay Kumar Mishra
For the Opposite Party/s : Ms.Sharda Kumari

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 25-06-2019 Heard learned Counsel for the petitioners and
learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Bahera Police Station Case No. 439 of 2018, disclosing offences under Sections 328/302/34 of the Indian Penal Code.

The allegation against the petitioners, as per the First Information Report, is that the daughter of the informant was allured by Md. Rahman, who kept her in his house, along with he petitioners. It has further been stated that Md. Rahman took the daughter of the informant to Delhi and forced her to indulge in illicit act.

Learned Counsel for the petitioners submits that the petitioners are innocent inasmuch as no specific allegation is



there that the petitioners have administered poison, leading to the death of the daughter of the informant.

Learned Additional Public Prosecutor, by placing paragraphs 54 and 55, has submitted that the complicity of the petitioners in the offence has come to light.

After having heard learned Counsel for the parties and taking into consideration the facts and circumstances of the case that the deceased was residing in the house of accused persons with Md. Rahman, who happened to be the son of petitioner no. 2 and brother of petitioner no. 1, I am not inclined to grant the petitioners privilege of anticipatory bail.

This application for anticipatory bail, is hereby, rejected.

The petitioners, above named, are directed to surrender before the Court below within a period of four weeks from today and seek regular bail, if so advised. If they do so, their application for regular bail shall be considered by the learned Court below on its own merit without being prejudiced by rejection of present application for grant of anticipatory bail.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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