

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22732 of 2019

Arising Out of PS. Case No.-1225 Year-2017 Thana- COMPLAINT CASE District- Araria

1. Mumtaz, Son of Jalil, Resident of Village - Purwari Jhirwa, Ward No.10, P.S.- simraha, Distt.- Araria.
2. Murtajil, Son of Jalil, Resident of Village - Purwari Jhirwa, Ward No.10, P.S.- Simraha, Distt.- Araria.
3. Yusuf, Son of Gafoor Mian, Resident of Village - Purwari Jhirwa, Ward No.10, P.S.- Simraha, Distt.- Araria.
4. Ahed @ Ahad, Son of Yusuf, Resident of Village - Purwari Jhirwa, Ward No.10, P.S.- Simraha, Distt.- Araria.
5. Hasib, Son of Gafoor Mian, Resident of Village - Purwari Jhirwa, Ward No.10, P.S.- Simraha, Distt.- Araria.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR.
2. Bibi Ushia Khatoon, W/o Md. Maqubool, Resident of Village - Purwari Jhirwa, Ward No.10, P.S.- Simraha, Distt.- Araria.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Md. Naushad Uzzoha, Advocate
For the Opposite Party no.2	:	Mr. Anil Prasad Singh, Advocate
		Mr. Vijay Kishore Bharti, advocate
For the State of Bihar	:	Mr. Ajit Kumar, APP

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 21-06-2019 This is an application for grant of anticipatory bail in connection with Complaint Case No. 1225c of 2017, disclosing offences under Sections 341, 323, 380, 504, 506, 354B, 147, 149 of the Indian Penal Code.

Allegation as per complaint petition is that petitioners entered inside the house of opposite party no.2 and pressurize to withdraw her earlier rape case lodged by her and also assaulted



her and tried to disrobe her and also taken away the articles.

Submission of the learned counsel for the petitioners is that the complainant has lodged such type of cases earlier against the petitioners no.2 & 3 and further she has lodged a case under Section 354 and other sections of the IPC and now the present case has been lodged with false implication. Even the petitioners no.1, 3 & 5 are not the accused in the earlier rape case filed by the complainant.

Heard learned A.P.P. as well as learned counsel for the informant also, who has opposed the prayer for bail.

Having heard both sides, in view of the facts and circumstances, as stated above, so far as, petitioners no. 2 & 4 are concerned, I am not inclined to grant privilege of anticipatory bail to them, however, they are directed to surrender before the learned court below and make prayer for regular bail.

So far as petitioners no.1, 3 & 5 are concerned, let the petitioners no.1, 3 & 5, above named, in the event of their arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount to the satisfaction of learned A.C.J.M.-V, Araria, in



connection with Complaint Case No.1225c of 2017, subject to
the condition laid down under Section 438(2) of the Code of
Criminal Procedure

With the aforesaid, this application is disposed of.

(Vinod Kumar Sinha, J)

Sunil Shukla/-

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