

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54531 of 2019

Arising Out of PS. Case No.-16 Year-2019 Thana- MAHILA P.S. District- Sitamarhi

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1. Md. Kamaluddin @ Md. Kamal Uddin, S/o Late Md. Mushtafa @ Gulam Mushtafa, R/o Ward NO. 5, Masjid Road, P.O.- and P.S.- Belsand, District- Sitamarhi, Bihar.
 2. Md. Sadabuddin @ Shandar @ Sadabuddin, S/O Md. Kamaluddin, R/o Ward NO. 5, Masjid Road, P.O. and P.S.- Belsand, District- Sitamarhi, Bihar.
- Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rakesh Kumar Singh, Advocate
For the Opposite Party/s : Mr. Mohammad Sufyan, APP

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 30-08-2019 This is an application for grant of anticipatory bail in connection with Sitamarhi Mahila Thana Case No. 16 of 2019, disclosing offences under Sections 341, 323, 376, 504, 506, 34 of IPC.

Petitioners happens to be the father and brother of one Mohd. Jiauddin and allegation against Mohd. Jiauddin that he had committed rape upon the informant for the last three years and there is allegation against these petitioners is that they have assaulted the informant, brutally.

Submission of the learned counsel for the petitioners is that there is no allegation of rape against these petitioners and medical report, which is annexed as Annexure 2 to this petition that does not show any injury on the person of the informant.



Moreover the age of the informant is in between 19 to 20 years.

Heard learned A.P.P. also.

Having heard both sides, considering the above submission, this application is allowed. Let the petitioners, 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 Sub Divisional Judicial Magistrate, Sadar, Sitamarhi, in connection with Sitamarhi Mahila Thana Case No. 16 of 2019, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure.

(Vinod Kumar Sinha, J)

Sunil Shukla/-

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