

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55678 of 2019

Arising Out of PS. Case No.-148 Year-2019 Thana- NAANPUR District- Sitamarhi

1. Nazir Sah @ Md. Nazir Sah @ Bechan Sah @ Md. Bechan Sah, S/o Samsul Sah, R/o Village- Pandaul Bujurg Ward No. 4, P.S.- Nanpur, District- Sitamarhi
2. Sakina Khatoon, W/o Nazir Sah @ Md. Nazir Sah @ Bechan Sah, R/o village- Pandaul Bujurg Ward No. 4, P.S.- Nanpur, District- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shankar Kumar

For the Opposite Party/s : Mr.Ajit Kumar

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 03-09-2019 This is an application for grant of anticipatory bail in connection with Nanpur P. S. Case No. 148 of 2019, disclosing offences under Sections 376, 313 of IPC and Section 67 of the I.T. Act.

Prosecution case is of subjecting the complainant to rape by one Mohd. Raja, who happens to be the son of the petitioners no.1 and 2 and thereafter, he continued to have physical relationship with her, due to which, she became pregnant, but she has given some medicine causing miscarriage. It is also alleged that mother of the informant made complaint about the same to the petitioners, then they abused her and get the pregnancy miscarriage.



Submission of the learned counsel for the petitioners is that there is no allegation of rape against the petitioners, rather same is against the co-accused. Petitioners happens to be the mother and father of the co-accused. Moreover, Mohd. Raja has lodged a complaint earlier prior to lodging of the present case against the informant.

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) with two sureties of the like amount to the satisfaction of learned Sub- Divisional Judicial Magistrate, Pupri at Sitamarhi, in connection with Nanpur P. S. Case No. 148 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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