

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.79338 of 2018

Arising Out of PS. Case No.-33 Year-2018 Thana- MAHILA PS District- Gopalganj

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1. Mansoor Alam Son of Amjad Hussain
 2. Ruby Khatoon Wife of Mansoor Alam Both are Resident of Village-Sawnahi Patti, P.S.- Sripur O.P., District - Gopalganj

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhramveer, Advocate
For the Opposite Party/s : Mr.Sri Umesh Lal Verma

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 29-01-2019 Heard the learned counsel for the petitioners and the State.

The petitioners who are husband and wife amongst themselves seek bail in anticipation of his arrest in connection with Gopalganj Mahila P.S. Case No. dated 09.10.2018 instituted for the offences under Sections 341, 323, 504, 376, 511 and 34 of the Indian Penal Code.

The petitioner no. 1 is the younger brother of the husband of the prosecutrix who has alleged that he committed rape on her. When she complaint against the aforesaid act of petitioner no. 1 to petitioner no. 2, she is alleged to have threatened her of being subjected to similar assault by other persons as well.

Learned counsel for the petitioners has submitted that the petitioners are own brother and sister-in-law of the husband of the prosecutrix and several cases are



pending amongst the brothers for property.

Learned counsel for the petitioners has drawn the attention of this Court to an FIR which was lodged by petitioner no. 1 earlier in point of time against the informant, her husband and her son. In the aforesaid occurrence for which Fulwaria P.S. Case No. 49 of 2018 referred to above was lodged, the petitioner no. 1 was assaulted by the husband of the informant.

Looking at the nature of the accusation and the relationship of the parties and the other background facts, it appears that the allegations are over exaggerated.

For the aforestated facts, the petitioners above named are directed to be released on bail, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, on their furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Sub-Divisional Judicial Magistrate, Gopalganj in connection with Gopalganj Mahila P.S. Case No. 33 of 2018, subject to the conditions as laid down under Section 438(2) Cr.P.C.

krishna/-

(Ashutosh Kumar, J)

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