

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69442 of 2019

Arising Out of PS. Case No.-125 Year-2019 Thana- NARPATGANJ District- Araria

1. MD. ISRAFIL @ ISRAPHIL @ ESRAPHIL Son of Jahim @ Md. Jahim Resident of Village - Jhigli Chowk, P.S.- Narpatganj, Distt.- Araria.
2. Jahim @ Jahim Son of Late Yunus Mian Resident of Village - Jhigli Chowk, P.S.- Narpatganj, Distt.- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Naushad Uzzoha

For the Opposite Party/s : Mr.Shyam Bihari Singh

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 05-11-2019 This is an application for grant of anticipatory bail in connection with Special POCSO Case No. 08 of 2019, arising out of Narpatganj P. S. Case No. 125 of 2019, disclosing offences under Sections 376 and 506 of IPC and Section 4 of the POCSO Act.

As per F.I.R. there is allegation against the petitioner no.1 that he has committed rape upon the informant and against petitioner no.2, who happens to be the father of the petitioner no.1 that he ordered to kill her.

Submission of the learned counsel for the petitioners is that now the petitioner no.1 has solemnized marriage with the informant and they are residing peacefully.



Heard learned A.P.P. also, who has opposed the prayer for anticipatory bail of the petitioners.

Having heard both sides, in view of the facts, as stated above, I am not inclined to grant privilege of anticipatory bail to the petitioners. However, if petitioner no.1 surrenders and pray for regular bail, the same shall be considered on the basis of the compromise as well as submission as made above that petitioner no.1 has married with the informant, after verifying the above facts, the learned court below pass an appropriate order, so far petitioner no.2, if he appears for regular bail, the same be disposed of on the same day, if possible.

With the aforesaid, this application is dismissed.

(Vinod Kumar Sinha, J)

Sunil Shukla/-

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