

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15539 of 2020

Arising Out of PS. Case No.-205 Year-2019 Thana- BARHARIA District- Siwan

-
1. SHAHJAHAN KHATOON W/o Ali Akhter Resident of Village- Mahuari, P.S.- Siwan Muffasil, Distt- Siwan
 2. Ali Akhter S/o Late Lali Wakil Resident of Village- Mahuari, P.S.- Siwan Muffasil, Distt- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Javed Aslam

For the Opposite Party/s : Mr.Ashok Kumar

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 07-07-2020 Due to COVID-19 Pandemic, the matter is being taken up by way of virtual Court proceeding.

The matter has been listed under the heading ‘For Orders’ under the orders of Hon’ble the Chief Justice.

Heard learned counsel for the petitioners and learned APP for the State.

The petitioners are apprehending their arrest in a case registered under Sections 376, 504, 511 of the Indian Penal Code.

Allegation is that accused Md. Rahim had established physical relation with the victim.

It has been submitted on behalf of the petitioners



that the petitioners have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. The petitioners have falsely been implicated in the present case. The son of the petitioners had established physical relation with the victim. Said relationship between the parties was consensual relationship. The petitioners have been made accused in the present case as they are the parents of co-accused, namely, Md. Rahim. Learned counsel for the petitioners further relied upon a case of the Hon'ble Supreme Court since reported in 2019 SCC Online SC-3100 (Dr. Dhruvaram Murlidhar Sonar versus The State of Maharashtra & Ors.).

On behalf of the State, it is submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances of the case and also the lockdown, let the petitioners, above named, in the event of arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on their personal bond to the satisfaction of First Additional District & Sessions Judge-cum-Special Judge, Siwan in connection with Barharis P.S. case No.205 of 2019, subject to the conditions as laid down under Section 438(2) of



the Code of Criminal Procedure.

Once the normalcy is restored, the petitioners will furnish bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each within a period of seven weeks to the satisfaction of the court concerned in connection with the aforesaid case.

(Sudhir Singh, J)

Narendra/-

U		T	
---	--	---	--

