

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 67216 of 2019

Arising Out of PS. Case No.-87 Year-2018 Thana- KANHHAULI District- Sitamarhi

1. Sheikh Murtuja @ Mahmad Murtuja @ Mohammd Murtaza S/o Late Israfil Sheikh R/o village- Orlahiya, P.S.- Sahiyara, District- Sitamarhi
2. Sabila Khatoon W/o Sheikh Murtuja @ Mahmad Murtuja @ Mohammad Murtaza R/o village- Orlahiya, P.S.- Sahiyara, 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 : Ms.Anita Kumari

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 06-03-2020 Heard learned counsel for the parties.

The petitioners apprehend their arrest in Kanhauli P.S. Case No. 87 of 2018, G.R. No. 3143 of 2018 registered for the offence under Sections 363, 363A/34 of the Indian Penal Code.

It is submitted on behalf of petitioners that specific allegation of committing rape is against Md. Sadam and petitioners are father and mother respectively of co-accused Md. Sadam. It is further submitted that in the statement recorded under Section 164 of the Cr.P.C., which has been mentioned in paragraph – 77 of the case diary, there is no whisper against the petitioners. One of the co-accused namely Mustafa Sheikh @



Mustafa, who happens to be uncle of main accused Md. Sadam, has already been granted antiipatory bail by this Court, vide order dated 17-07-2019 passed in Cr.Misc. No. 21701 of 2019. Petitioners have no criminal antecedent.

In view of aforesaid facts & circumstances, in the event of their arrest/surrender within a period of six weeks from today, let the above named petitioners be enlarged on bail on furnishing bail-bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Sitamarhi in connection with Kanhauli P.S. Case No. 87 of 2018, subject to conditions as laid down under Section 438(2) of the Cr.P.C.

(Prabhat Kumar Singh, J.)

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