

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23419 of 2020

Arising Out of PS. Case No.-853 Year-2019 Thana- SARAIYA District- Muzaffarpur

1. Kurban Mian @ Md. Kurban, aged about 70 years (Male), S/O Late Noor Hassan Mian
2. Mariyam Khatoon @ Morium Khatoon, aged about 68 years (Female), W/o Kurban Mian
3. Rizwana Khatoon aged about 25 years (Female), W/o Md. Khurshit All Resident of Village - Basantpur Patti, P.S. - Saraiya, District - Muzaffarpur.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Raju Kumar, Advocate
For the Opposite Party : Mr. Uma Nath Mishra, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

3 22-01-2021 Learned counsel for the petitioners seeks permission to withdraw the application on behalf of the petitioner no.2, namely, Mariyam Khatoon @ Morium Khatoon.

Permission is accorded. The application on behalf of the petitioner no.2, namely, Mariyam Khatoon @ Morium Khatoon is dismissed as withdrawn.

Heard learned counsel appearing on behalf of the petitioner nos.1 and 3, namely, Kurban Mian @ Md. Kurban and Rizwana Khatoon and learned Additional Public Prosecutor appearing on behalf of the State.

Petitioner nos.1 and 3, namely, Kurban Mian @ Md.



Kurban and Rizwana Khatoon are apprehending arrest in connection with Saraiya P.S. Case No. 853 of 2019 for offences under Sections 341, 323, 376, 511, 504 and 506/34 of the Indian Penal Code.

Learned counsel appearing on behalf of the petitioners submits that Petitioner nos.1 and 3 have no criminal antecedents.

Considering the materials available on record, this Court is not inclined to grant the privilege of anticipatory bail to the petitioner nos.1 and 3, namely, Kurban Mian @ Md. Kurban and Rizwana Khatoon. Their application is rejected.

However, in the event the petitioner nos.1 and 3, namely, Kurban Mian @ Md. Kurban and Rizwana Khatoon surrender before the court below and seek regular bail, the court below shall consider and dispose of the same on its own merits on the same day without being prejudiced by the order of rejection of this application.

(Anil Kumar Upadhyay, J)

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