

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19765 of 2021

Arising Out of PS. Case No.-70 Year-2020 Thana- MAHARAJGANJ District- Siwan

1. ZAKIR HUSSAIN S/O LATE ISLAM MIAN R/O VILLAGE-PASNAULI SAGAR, P.S-MAHARAJGANJ, DISTRICT-SIWAN.
2. SUFIYA PARVEEN @ SUFIYA BEGAM @ SNUFUYA BEGUM W/O MD. SHAH NAWAJ ANSARI @ SHAH NAWAJ ANSARI R/O VILLAGE-PASNAULI SAGAR, P.S-MAHARAJGANJ, DISTRICT-SIWAN.
3. MD. SHAH NAWAJ ANSARI @ SHAH NAWAZ ANSARI S/O LATE SABIR HUSSAIN R/O VILLAGE-PASNAULI SAGAR, P.S-MAHARAJGANJ, DISTRICT-SIWAN.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. RIMI BEGUM @ SAGUFTA AFROZ W/O KAUSAR ANSARI R/O VILLAGE-PASNAULI SAGAR, P.S-MAHARAJGANJ, DISTRICT-SIWAN AT PRESENT D/O PEER MOHAMMAD, VILLAGE-JIGRAHWAN, P.S-MAHARAJGANJ, DISTRICT-SIWAN, MOB NO.8539814668

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Aslam Ansari
For the Opposite Party/s : Mr.Ram Bilash Roy Raman

CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR PANDEY

ORAL ORDER

2 22-01-2022 The learned counsel for the petitioners is directed to remove all the defects pointed out by the Stamp Reporter within one month.

Heard the learned counsel for the petitioners and learned APP for the State through video conferencing.

The petitioners apprehend their arrest for the offences alleged under Sections 420, 376, 323, 498A and 120(B) of the Indian Penal Code, registered in connection with



Maharajganj P.S. Case No. 70 of 2020.

As per complaint petition, the marriage of the complainant was solemnized with co-accused Kausar Ansari. After marriage, it was found that Kausar Ansari was not mentally fit and this fact was concealed to the complainant and her family members. Thereafter, her family members assured her to solemnize her marriage with Alam Nawaz, who is the *dewar* of the complainant. On the assurance of marriage, co-accused Alam Nawaz developed sexual relation with the complainant, but thereafter Alam Nawaz and other family members refused to solemnize marriage with the complainant.

The learned counsel for the petitioners has submitted that the main allegation is against co-accused Alam Nawaz of developing sexual relation with the complainant on the pretext of solemnizing marriage with her. The allegations against the petitioners are that they are making hurdles in solemnization of marriage.

A supplementary affidavit has been filed along with a copy of the order dated 29.11.2021 passed in Cr.Misc. No. 19708 of 2021 which shows that co-accused Kausar Ansari and Alam Nawaz have been granted anticipatory bail by a coordinate Bench of this Court.



Considering the aforesaid facts and circumstances, let the petitioners above-named, in the event of their arrest or surrender within four weeks from the date of communication of this order, be released on bail on furnishing bail bond of Rs. 10,000/-(ten thousand) each with two sureties of the like amount each to the satisfaction of ACJM, Siwan in connection with Maharajganj P.S.Case No. 70 of 2020, subject to the conditions as laid down under Section 438(2) Cr. P.C.

Office shall ensure that all defects are removed by the petitioners within the stipulated time provided hereinabove, failing which the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

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