

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32136 of 2021

Arising Out of PS. Case No.-29 Year-2019 Thana- MAHILA P.S. District- Sitamarhi

1. Sadre Alam Son of Naseer Alam
2. Hasan Raza Son of Sadre Alam both Resident of Village - Dema, P.S. - Parsauni, District - Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Anisur Rahman, Adv.

For the Opposite Party/s : Mr. Aditya Narayan Singh, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 21-01-2022 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State through the virtual court proceeding.

Learned counsel for the petitioners undertakes to remove the defects within three weeks. In the eventuality of non-removal of defects within undertaken period, the office will place the matter before the Bench.

The petitioners are apprehending their arrest in a case registered for the offence punishable under Sections 323, 376, 504, 506/34 of the Indian Penal Code.

The petitioners are named in the FIR and there is allegation of kidnapping of informant and committing rape upon her against them along with accused Aftab Alam.

It is submitted by learned counsel for the



petitioners that petitioners are innocent and have been falsely implicated in this case. He submits that there is love affairs between the accused Aftab Alam and the informant. He submits that co-accused Md. Aftab Alam has solemnized marriage with the informant according to Muslim rights and customs. He submits that petitioner no. 2 is son of petitioner no. 1. He further submits that petitioners have no criminal antecedent as stated in para-3 of this application.

Learned APP for the State opposes the prayer for bail and submits that according to the FIR, petitioner no. 1 has also committed rape from the victim and victim in her statement recorded under Section 164 Cr.P.C. has supported the prosecution case.

Considering the facts and circumstances of the case, I am not inclined to enlarge the petitioners on anticipatory bail. Accordingly, their prayer for anticipatory bail is rejected in connection with Sitamarhi Mahila P.S. Case No. 29 of 2019.

(Anjani Kumar Sharan, J)

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