

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46036 of 2021

Arising Out of PS. Case No.-39 Year-2021 Thana- MAHILA PS District- East Champaran

1. Sahjad Hussain @ Sajjad Hussain S/O Sahim Mian R/O Village-Rajapur Mathiya, P.S- Kotwa, District-East Champaran.
2. Jaitun Nisha W/O Sahjad Hussain @ Sajjad Hussain R/O Village-Rajapur Mathiya, P.S- Kotwa, District-East Champaran.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Subhash Kumar, Advocate

For the Opposite Party/s : Mr. Rajiv Nayan, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

5 11-05-2022 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 493, 313, 307, 376, 341 and 323 of the Indian Penal Code.

It is a case of making sexual relation forcibly and setting fire upon the body of the victim by the accused persons along with the petitioners.

It is submitted by learned counsel for the petitioners that the petitioners have falsely been implicated in this case. He further submits that in the trial concluded against co-accused Reyaj Hussain, who is main accused, he has been acquitted.

From perusal of the judgment related to co-accused Reyaj Hussain, it is opined by the learned trial Court that the



victim has not supported the prosecution case and also the victim after hearing regarding solemnization of marriage by co-accused Reyaj Hussain with another lady, she got perturbed and due to which, she set herself on fire by sprinkling kerosene oil and she further stated that the petitioners are innocent in this case.

Learned APP appearing for the State has opposed the prayer for anticipatory bail.

Considering the aforesaid submissions, let the petitioners, above named in the event of their arrest or surrender before the court below within a period of four weeks from today, be released on anticipatory 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 Sub Divisional Judicial Magistrate, Sadar, Motihari in connection with Motihari Mahila P.S. Case No. 39 of 2021, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

Brajesh Kumar/-

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