

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52891 of 2021

Arising Out of PS. Case No.-345 Year-2020 Thana- BALIYA District- Begusarai

-
1. NASHIMA KHATOON WIFE OF MD. RAHMAT R/O WARD NO. 13, VILLAGE- KASBA, P.O.- HUSENA, P.S.- BARI BALIA, DIST.- BEGUSARAI, PIN- 851211
 2. ANJUM KHATOON WIFE OF MD. NADIR R/O WARD NO. 13, VILLAGE- KASBA, P.O.- HUSENA, P.S.- BARI BALIA, DIST.- BEGUSARAI, PIN- 851211

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravindra Kumar, Advocate
For the Opposite Party/s : Mr.Shailendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 04-07-2022 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 376, 493, 420 and 509 of the Indian Penal Code.

Learned counsel for the petitioners submits that the petitioners are women and are having clean antecedent and the informant alleges that her husband died six years ago and accused Md. Mister taking advantage of her widowhood, raped her on the pretext of marriage and continued with the offence for nearly three years. It is next alleged that Md. Mister even took a loan of Rs. Two Lac from the informant on the pretext of



marriage of his sister. It is next alleged that thereafter Md. Mister kept the matter lingering and even threatened the informant that she will be killed if she again raises the demand of marriage. It is next alleged that on 05.08.2020, a panchayati was held in which Md. Mister admitted the guilt and assured that he will marry, but thereafter, he resiled from his promise. It is alleged that the petitioner being relative of the Md. Mister supported him.

Learned counsel for the petitioners submits that the petitioners have been falsely implicated in the present case merely because they are family members of Md. Mister and from bare perusal of the allegation as alleged in the F.I.R. it would manifest that whatever happened, happened between the informant and Md. Mister, but the entire family members have been roped by the informant in the present case. It is next submitted that *prima-facie*, in the nature of allegation, no offence under Sections 376 and 420 of the I.P.C. is made out against the petitioners. Learned counsel next submits that the similarly situated co-accused have been granted bail vide order dated 29.06.2022 in Cr. Misc. No. 48343 of 2021.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.



Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 5,000/- (Rupees Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Balia P.S. Case No. 345 of 2020 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

Rishi/-

U		T	
---	--	---	--

