

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50136 of 2022

Arising Out of PS. Case No.-23 Year-2021 Thana- BENIPATTI District- Madhubani

1. Md. Rabban Son of Sakim Resident of Village - Andhari Ward No.3, P.s.- Benipatti, Distt.- Madhubani.
2. Md. Sakim Son of Md. Salim @ Md. Chopra Resident of Village - Andhari Ward No.3, P.s.- Benipatti, Distt.- Madhubani.
3. Momina Khatoon W/o Md. Sakim Resident of Village - Andhari Ward No.3, P.s.- Benipatti, Distt.- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party

Appearance:

For the Petitioner/s : Mr. Mazharul Hassan, Advocate
For the Opposite Party : Mr. Nityanand, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 15-12-2022 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners apprehends their arrest in a case registered for the offence punishable under Section 363/366 of the Indian Penal Code.

The victim in her statement recorded under section 164 Cr.P.C. has denied the prosecution case and stated that she herself left the house and went to Hyderabad where she solemnized marriage with petitioner no. 1, Md. Rabban. She has also disclosed her age as 18 years. Petitioner no. 2 and 3 are parents of petitioner no. 1. Petitioners have got clean antecedent.

In view of the statement of the victim girl recorded under



section 164 Cr.P.C. the prayer of anticipatory bail of petitioners is allowed. In the event of arrest/surrender within six weeks from today, let the petitioners, above named, be enlarged 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 learned Additional Chief Judicial Magistrate, Benipatti, in connection with Benipatti P.S. Case No. 23 of 2021, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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