

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66869 of 2021

Arising Out of PS. Case No.-985 Year-2019 Thana- ARARIA District- Araria

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1. Md. Jasim S/O Gaffar @ Ansari Gaffar R/O Village - Rajokhar, Ward No.- 05, P.S. - Araria, Distt. - Araria Bihar.
 2. Bibi Hasratan @ Bibi Isratan W/o Md. Jasim R/o Village - Rajokhar, Ward No.- 05, P.S. - Araria, Distt. - Araria Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nishant Kumar Sinha

For the Opposite Party/s : Mr.Shaheen Begum

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 23-08-2022 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 323, 341, 365, 366, 504, 506, 120(B) of the

Indian Penal Code.

It is alleged that all the F.I.R accused persons

including the petitioners abducted the married daughter

of the informant.

It is submitted by learned counsel for the

petitioners that petitioners have falsely been implicated



in this case and only on the basis of suspicion, they have been named in the present case since they are neighbours of the informant's daughter. There is no specific accusation against the petitioners.

Learned A.P.P appearing on behalf of the State has vehemently opposed the prayer for anticipatory bail of the petitioners and submitted that the victim in her 161 Cr.P.C statement recorded in para 117 of the case diary has specifically alleged that petitioner No. 1 had forcibly kidnapped her with the help of other accused persons and taken away to Hyderabad. She also alleged forceful sexual assault upon her by petitioner No. 1.

Considering the fact that there is specific accusation against petitioner No. 1 namely Md. Jasim, this Court is not inclined to grant privilege of anticipatory bail to the petitioner No. 1.

The prayer for grant of anticipatory bail to petitioner No. 1 stands rejected.

So far as petitioner No. 2 is concerned, since



there is general and omnibus allegation against her, let the petitioner No. 2, above named, in the event of her 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 Thousands) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Araria in connection with Araria (R.S) P.S. Case No. 985 of 2019, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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