

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.33277 of 2023**

Arising Out of PS. Case No.-474 Year-2022 Thana- MURLIGANJ District- Madhepura

1. Md Israil Son Of Late Md Samad Resident Of Village- Bhairpatti, Ward No. 14, P.S. Murliganj, Distt- Madhepura
2. Hajara Khatun @ Bibi Hazra Khaton Wife Of Md. Israil Resident Of Village- Bhairpatti, Ward No. 14, P.S. Murliganj, Distt- Madhepura

... .. Petitioners

Versus

1. The State Of Bihar
2. Rukeda Khatun Daughter Of Md. Asfaque Alam Resident Of Village- Bhairpatti, Ward No. 14, P.S. Murliganj, Distt- Madhepura

... .. Opposite Parties

**Appearance :**

For the Petitioner/s : Mr.Nafisuzzoha, Advocate

For the Opposite Party/s : Mr.Amitesh Kumar, Addl Public Prosecutor

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH**  
**ORAL ORDER**

2      24-07-2023                      Heard learned counsel for the petitioners and the State.

2. Petitioners apprehend arrest in a case registered for the offence punishable under sections 376/420/493/34 other ancillary sections of the Indian Penal Code.

3. As per the prosecution case, on the pretext of marriage, co-accused Md. Asav made physical relation with informant/opposite party no.2 and when she became pregnant, Md. Asav and his family members, who are petitioners here, got the pregnancy aborted. After sometime, accused persons demanded Rs.2 lacs and a motorcycle for performing her marriage with co-accused Md. Asav.



4. It is submitted on behalf of the petitioners that the specific allegation of sexual assault is against co-accused Md. Asav and petitioners have been made accused in the case only because they are his parents. Petitioners claim clean antecedent.

5. Considering the aforesaid facts of the case, prayer for bail of all the petitioners is allowed. In the event of arrest/surrender within six weeks from today, let these petitioners, mentioned above, 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 Additional Chief Judicial Magistrate I, Madhepura in Murliganj Police Station Case No. 474 of 2022, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure.

**(Prabhat Kumar Singh, J)**

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