

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38512 of 2022

Arising Out of PS. Case No.-12 Year-2022 Thana- MAHILA P.S. District- Kishanganj

1. NAZMA BEGUM @ NAZMA WIFE OF MD. TAHIR R/O VILLAGE- SAKAOUR, P.S.- BAHADURGANJ, DISTRICT- KISHANGANJ
2. TALAT PERWEEZ WIFE OF JABIR ALAM @ JAWEED ALAM R/O VILLAGE- SAKAOUR, P.S.- BAHADURGANJ, DISTRICT- KISHANGANJ
3. NAZAM UDDIN SON OF QURBAN ALI R/O VILLAGE- DEVOTTAR BIRNIA P.S.- BAHADURGANJ, DISTRICT- KISHANGANJ

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Durga Nand Jha, Adv.

For the Opposite Party/s : Mr.Ram Naresh Ray,APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 17-02-2023 Heard learned counsel for the petitioners and learned A.P.P. for the State.

Learned counsel for the petitioners undertakes to remove the defect(s), as pointed out by the office, within four weeks.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 341, 323, 370, 376, 34 of the Indian Penal Code.

It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. No such occurrence as alleged ever took place. Petitioners have been falsely implicated in this case. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. It is



further submitted that the father of informant got the marriage of informant solemnized with Sajjad Alam on 12.08.2021 as per the Muslim rites and customs. This fact is evident from *Nikahnama* dated 12.08.2021 and thereafter informant went to her matrimonial place along with her husband Sajjad Alam. There is inordinate and abnormal delay in filing the FIR without assigning any plausible and convincing reason for the said delay. Petitioners have no criminal antecedent as mentioned in para-3 of this application.

Learned APP for the State opposed the prayer for bail by submitting that the statement of the victim has been recorded under Section 164 Cr.P.C. in which she has supported the prosecution case. He further submits that as per the medical report, the age of the victim was found 17 years.

Having regard to the facts and circumstances of the case and considering the statement of the victim, I am not inclined to enlarge them on anticipatory bail.

The prayer for anticipatory bail of the petitioners is hereby rejected.

(Anjani Kumar Sharan, J)

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