

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56318 of 2023

Arising Out of PS. Case No.-90 Year-2023 Thana- MANIHARI District- Katihar

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1. Tusia Khatoon Wife Of Ali Hoosen R/O Vill Nayatola Bahadurpur, Ps-Manihari, Dist- Katihar
 2. Sonam Khatoon Wife Of Sahamuddin R/O Vill Nayatola Bahadurpur, Ps-Manihari, Dist- Katihar
 3. Ali Hoosen Son Of Late Rekayat R/O Vill Nayatola Bahadurpur, Ps-Manihari, Dist- Katihar
 4. Sk. Noorshed @ Noorshed Alam Son Of Ali Hoosen R/O Vill Nayatola Bahadurpur, Ps- Manihari, Dist- Katihar
 5. Md. Ismail @ Md. Ismile Son Of Late Tikawa Resident Of Village-Narayanpur, Ps- Manihari, Dist- Katihar

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bhola Prasad, Adv

For the Opposite Party/s : Mr.Brajendra Nath Pandey, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 15-09-2023 Heard learned counsel for the petitioners and
learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in a case registered for the offence punishable under Sections 376/34 of the Indian Penal Code.

3. As per FIR, the informant alleged that co-accused Md. Asamuddin raped her on the false pretext of marriage and when the informant and his family members went to the house of accused petitioners, they misbehaved with her and refused to solemnize marriage.

4. Learned counsel for the petitioners submits that the



petitioners are innocent and has falsely been implicated in this case. He submits that all the petitioners are mother, father and other family members of co-accused Md. Asamuddin. He further submits that from bare perusal of the FIR , the specific allegation is against co-accused Md. Asamuddin. The petitioners have clean antecedent.

5. Learned APP for the State opposes the prayer for bail.

6. Considering the facts that there is no specific overt act attributed against the petitioners and petitioners are family members of the co-accused, let the above named petitioners in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty 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 Manihari P.S. Case No. 90 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

N.K/-

(Anjani Kumar Sharan, J)

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