

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63912 of 2023

Arising Out of PS. Case No.-11 Year-2023 Thana- MAHILA P.S. District- Madhubani

1. Md. Rahman @ Rahman Son Of Md. Majid Resident Of Village -SANTNAGAR, Ps- Bhairavsthan, Dist- Madhubani
2. Guriya Khatoon Wife Of Md. Rahman @ Rahman Resident Of Village -SANTNAGAR, Ps- Bhairavsthan, Dist- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ratanakar Jha, Advocate

For the Opposite Party/s : Mr.Yogendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 17-10-2023 Heard learned counsel for the petitioners and the learned APP for the State.

2. The petitioners are apprehending their arrest in connection with Mahila P.S. case No. 11/2023, G.R. No. 555/23 registered for the offence punishable under Sections 323, 341, 420, 376, 504, 506, 120(b) and 34 of the Indian Penal Code.

3. The informant has alleged that she was residing at her maternal grandfather's house where she developed relationship and established physical relationship with cousin brother Md. Salman. The said cousin brother's parents (instant petitioners) have not allowed to solemnize the marriage of the informant with cousin brother.



4. The learned counsel for the petitioners submits that the petitioners have been made accused by the informant to coerce their son Salman's marriage with the informant. The informant, as per the prosecution case, is a major and has established physical relationship with Salman, if at all, on her own volition. The petitioners have no role even as per the allegations made in the F.I.R. The allegation of abusing the informant is with the oblique motive of making the allegations look grave.

5. Learned APP for the State has opposed the prayer for pre-arrest bail.

6. Considering the rival submissions, the clean antecedents of the petitioners as per paragraph No. 3 of the bail application; as also the nature of allegation, this Court for the purposes of grant of bail is inclined to accept the submissions advanced by the petitioners' counsel. Prayer for anticipatory bail of the petitioners is allowed.

7. Accordingly, let the petitioners, above named, in the event of their arrest or surrender before the court below within a period of four weeks from today, be released 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 the



learned Chief Judicial Magistrate, Madhubani in connection with Mahila P.S. case No. 11/2023, G.R. No. 555/23, subject to the conditions as laid down in Section 438(2) of the Code of Criminal Procedure as also subject to the following conditions:

- (i) That one of the bailors will be a close relative of the petitioners who will give an affidavit giving genealogy as to how he is related with the petitioners. The bailor will also undertake to inform the court if there is any change in the address of the petitioners.
- (ii) That the petitioners will be well represented on each date and if they fail to do so on two consecutive dates, their bail bonds will be liable to be cancelled.

(Madhuresh Prasad, J)

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