

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15901 of 2024

Arising Out of PS. Case No.-47 Year-2023 Thana- MAHILA PS District- East Champaran

1. ZAKIR HUSSAIN S/O MAULANA MD. SABIR @ JUGNU R/O VILLAGE- KATAHA, P.S- MUFFASIL, DISTT.- EAST CHAMPARAN.
2. SHAHIDA KHATOON W/O ZAKIR HUSSAIN R/O VILLAGE- KATAHA, P.S- MUFFASIL, DISTT.- EAST CHAMPARAN.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioners : Mr. Vijay Shankar Shrivastava, Advocate
For the State : Ms. Rina Sinha, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 14-03-2024 Heard learned counsels for the parties.

2. The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 376, 420, 313 and 34 of the Indian Penal Code.

3. As per prosecution case, it is alleged that on the pretext of marriage, co-accused Nadim Hussain established physical relations with the informant. So far as these petitioners are concerned, they are only alleged to be present at the house of bag owner Nadim Hussain where the informant was aborted.

4. It is submitted by learned counsel appearing on behalf of the petitioners that specific accusation is against co-accused Nadim Hussain. It is next submitted that so far as these



petitioners are concerned, there are general and omnibus allegations against them and no specific accusation of overt act has been alleged against these petitioners. Petitioners claim clean antecedents.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail.

6. Considering the aforesaid facts and circumstances, nature of accusation and clean antecedents of the petitioners, the prayer for grant of anticipatory bail to the petitioners is allowed.

7. Accordingly, in the event of arrest/surrender within a period of six weeks from today, let the above named petitioners 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 learned Chief Judicial Magistrate, Motihari, East Champaran, in connection with Mahila P.S. Case No.47 of 2023, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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