

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46764 of 2024

Arising Out of PS. Case No.-20 Year-2024 Thana- MAHILA P.S. District- Bhagalpur

1. Shah Perwez Hussain @ Md. Burhan Akhtar@Burhan Akhtar Son of Late Shah Md. Hanif R/o Vill.- Sahjangi, P.S.- Habibpur, Dist.- Bhagalpur.
2. Nujhat Parveen @ Nujhat Yasmeen Wife of Shah Perwez Hussain @ Md. Burhan Akhtar R/o Vill.- Sahjangi, P.S.- Habibpur, Dist.- Bhagalpur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. XXXXX Daughter of Late Md. Mister R/o Vill.- Sahjangi Ward No.- 13, P.S.- Habibpur, Dist.- Bhagalpur.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajive Ranjan Singh, Advocate
For the Opposite Party/s : Mr. Shailendra Kumar , APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 24-07-2024 Heard learned counsel for the petitioners and the State .

2. Petitioners apprehend their arrest in a case registered for the offence punishable under sections 341 , 323 , 452, 354, 376, 504, 506 and 34 of the Indian Penal Code .

3. As per the prosecution case , on the false pretext of marriage co-accused *Md. Masood* committed rape with the victim.

4. It is submitted on behalf of the petitioners that these petitioners are innocent and has falsely been implicated in this case merely because petitioner No. 1 is father and petitioner No.



2 is mother of co-accused *Md. Masood*. They are only alleged to have abused and threatened the informant. Specific accusation of commission of rape is against co-accused *Md. Masood*. Petitioners claim clean antecedent.

5. Learned counsel for the State oppose the bail petition .

6 Considering the aforesaid facts and circumstances of the case, in the event of arrest or surrender within six weeks from today, let the petitioners, as named 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 the learned Exclusive SPL Judge (POCSO) Cum A . D. J 6th , Bhagalpur in connection with Mahila P.S. Case No. 20 of 2024 , subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure .

(Prabhat Kumar Singh, J)

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