

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5570 of 2024

Arising Out of PS. Case No.-149 Year-2023 Thana- BENIPATTI District- Madhubani

Rehana Khatoon W/O- Dilshad Ansari Resident of Village Behta Ps-
Benipatti Dist- Madhubani Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Bhavesh Sah, Advocate

For the Opposite Party : Mr.Yogendra Kumar, Addl Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 17-02-2024 Heard learned counsel for the petitioner and the State.

2. The petitioner apprehends arrest in a case registered for the offence punishable under sections 376/420/120B/34 and other allied sections of the Indian Penal Code.

3. As per the prosecution case, co-accused Afroj committed rape on the informant's daughter on the pretext of marriage. Petitioner and other accused persons are alleged to have given her medicine for abortion.

4. Learned counsel appearing for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. He submits that the specific allegation of committing rape is against co-accused Afroj and petitioner has been made accused in this case only because she happens to be married sister of said co-accused Afroj. Co-accused, with similar allegation, has already been allowed pre-arrest bail by a



co-ordinate bench of this Court vide order passed in Cr.Mis.No. 85260/2023. Petitioner claims clean antecedent.

5. Considering the aforesaid facts of the case, prayer for bail of the petitioner is allowed. In the event of arrest/surrender within six weeks from today, let the petitioner, mentioned above, be enlarged on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate, Benipatti, Madhubani in Benipatti Police Station Case No. 149 of 2023, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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