

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16181 of 2016

Arising Out of PS.Case No. -130 Year- 2015 Thana -SHANKARPUR District- MADHEPURA

- =====
1. Md. Maneer @ Md. Maneeruddin S/o Late Gulam Rasul
 2. Md. Saddam Hussain @ Md. Saddam S/o Md. Maneer @ Md. Maneeruddin
 3. Noor Jahan W/o Maneer @ Md. Maneeruddin All resident of Village- D.S.P. Tola, P.S. Shankarpur, District- Madhepura.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Nafisuzzoha, Advocate.

For the Opposite Party : Mr. Ganesh Pd. Singh(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 03-05-2016 Heard both sides.

The petitioners apprehend their arrest in Shankarpur P.S. Case No. 130 of 2015 (corresponding to POCSO Special Case No. 10 of 2015) registered for the offences punishable under Sections 363, 366A and 34 of the Indian Penal Code.

The petitioners are father, mother and brother of Md. Parwez @ Kabir who is alleged to have kidnapped Kajal Kumari minor daughter of the informant.

It is submitted that, of course, the petitioners are named in the FIR, but no specific allegation is made against the petitioners. The victim made her statement under Section 164 of the Cr.P.C. and she did not disclose the name of the petitioners.

The police after investigation submitted charge sheet only against Md. Parwez @ Kabir.

On the other hand learned APP has opposed the prayer for anticipatory bail of the petitioners.

Considering the facts aforesaid and the fact that the victim did not name the petitioners in her statement recorded under Section 164 of the Cr.P.C. and the police after investigation did not find involvement of the petitioners and accordingly charge sheet against Md. Parwez @ Kabir has been submitted, the petitioners above named, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, are directed to 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 1st Additional Sessions Judge, Madhepura in Shankarpur P.S. Case No. 130 of 2015 (corresponding to POCSO Special Case No. 10 of 2015), subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Prabhat Kumar Jha, J.)

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