

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37039 of 2016

Arising Out of PS.Case No. -98 Year- 2016 Thana -KATIHAR MUFFASIL District- KATIHAR

- =====
1. Md. Arwaj @ Md. Arwaj Alam, S/o Md. Farmod
 2. Md. Joney, S/o Abdul Kasim @ Shekh Kasim. Both are residents of village-Dhusmar, P.S. Mufassil, District-Katihar

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Ataur Rahman, Advocate

For the Opposite Party/s : Mr. Sri Shailendra Kumar -2, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI

SHARAN SINGH

ORAL ORDER

2 19-09-2016

Heard learned counsel for the petitioners and learned

Additional Public Prosecutor for the State.

This application for grant of anticipatory bail arises out of Mufassil P.S. Case No. 98 of 2016, disclosing offences under Sections 341, 307 and 354A of the Indian Penal Code and 12 POCSO Act.

From the First Information Report, it appears that allegedly, the petitioners attempted to outrage the modesty of the minor daughter of the informant.

It is submitted on behalf of the petitioners that the First Information Report has been lodged after the petitioner and the informant had picked up altercation over a petty dispute and the allegation made in the First Information Report is absolutely false.

He has submitted that injury report does not corroborate the allegation made in the First Information Report.

Considering the submissions as above, this application is allowed.

Let the petitioners, above-named, in the event of their arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned A.D.J. 1st, Katihar in connection with Mufassil P.S. Case No. 98 of 2016, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioners shall present themselves before the police/Court, as the case may be, as and when required and in the event of failure on their part to appear before the Court on two consecutive occasions, their bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

Vats/-

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