

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57393 of 2015

Arising Out of PS.Case No. -409 Year- 2014 Thana -RUNISAIDPUR District- SITAMARHI

- =====
1. Md. Irfan son of Md. Mostkim
2. Md. Nijam son of Md. Wakil Sahi both are resident of Village- Turki,
P.S.- Minapur, District- Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bela Singh

For the Opposite Party/s : Mr. Bisheshwar Ram(App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 12-02-2016 Heard learned counsel for the petitioners and learned
A.P.P. representing the State.

Petitioners seek bail in connection with Runnisaidpur
P.S. Case No. 409 of 2014 registered for the offences punishable
under Sections 363, 376, 366A/34 of the Indian Penal Code and
Section 8/14 of POCSO Act.

Allegedly, Fulzadi Khatoon, the daughter of the
informant had gone to purchase medicine and then the petitioners
and other co-accused kidnapped her with purpose to marry.

Submission is of false implication and that no one had
kidnapped the daughter of the informant. The daughter of the
informant had gone to her maternal grand-mother's house and this

fact has been admitted by the victim girl in her deposition in Trial No. 24 of 2015 as P.W.-7 vide annexure-2 and, as such, the petitioners, who are suffering in custody since 22.06.2015, deserve sympathetic consideration, to which the learned APP does not oppose.

In the facts and circumstances stated above, the petitioners, above named, are directed to be released on bail on execution of 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-cum-Spl. Judge, Sitamarhi arising out of Runnisaipur P.S. Case No. 409 of 2014 subject to the conditions that one of the bailors must be near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioners shall remain present on each and every date during trial and the default on two consecutive dates on their part without any reason shall disentitle the petitioners from privilege of bail.

(Jitendra Mohan Sharma, J)

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