

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1760 of 2017

Arising Out of PS.Case No. -45 Year- 2016 Thana -MAHILA THANA District- BEGUSARAI

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1. Suiya Khatoon @ Rukshana Khatoon, W/o Hamid Miya, R/o village -
Satti Chaura, P.S. - Ballia, District - Begusarai.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar Singh, Advocate.

For the Opposite Party/s : Mr. Pawan Kumar Chaurasiya, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 19-01-2017 Heard learned counsel for the petitioner and the State.

The petitioner seeks anticipatory bail in a case
instituted for the offence under Sections 376 of the Indian Penal
Code and Section 8 of POCSO Act.

It is alleged in the written report that on the date of
occurrence, Md. Amjad took the minor daughter of the informant
namely, Sabrin Khatoon, aged about 13 years in the orchard
situated behind the mosque and committed an illegal act with her
on account of which she became unconscious. The petitioner is
said to be the mother of Md. Amjad.

It has been submitted that during investigation and in
the statement of the victim girl recorded under Section 164 Cr.
P.C. it has come that the petitioner assured that she will get the



matter settled. It has further been submitted that after one day of filing the instant case, i.e. on 19.9.2016, the victim girl has herself instituted a case vide Balia P.S. Case No. 197 of 2016 under Sections 376 and 511 of the Indian Penal Code wherein she has levelled allegation against Amjad of committing an illegal act with her.

It has been submitted on behalf of the informant that earlier one co-accused Md. Naushad was arrested and he has been granted regular bail by a co-ordinate Bench of this Court.

Considering the aforesaid facts and circumstances of the case, let the petitioner in the event of surrender, named above, within six weeks from the date of receipt of this order, in connection with Mahila P.S. Case No. 45 of 2016 and POCSO Case No. 59 of 2016, shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of A.D.J. 1st-cum-Special Judge, POCSO, Begusarai, subject to the conditions as laid down under Section 438 (2) Cr. P.C.

S.Ali/-

(Sanjay Priya, J)

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