

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29689 of 2017

Arising Out of PS.Case No. -41 Year- 2017 Thana -UCHAKAGAON District- GOPALGANJ

- =====
1. Bahae @ Rizwana Khatoon @ Rizwan Khatoon, daughter of late Maqbool.
 2. Ambeya Khatoon @ Ambeya, wife of late Maqbool
 3. Mustaque Alam @ Sameer Alam, son of late Maqbool
- All resident of village Bedu Tola, P.S. Thawe, Distt. Gopalganj.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mohammad Sufyan, Advocate

For the Opposite Party/s : Mr. Jai Narain Thakur, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 07-07-2017 Heard learned counsel for the petitioners and the State.

The petitioners apprehend their arrest in Uchkagaon P.S. Case No. 41 of 2017 instituted for the offence under Sections 3, 9 and 10 of POCSO Act.

It has been submitted on behalf of the petitioners that the occurrence is said to have taken place on 2.9.2016 whereas the complaint has been filed on 7.2.2017. It has further been submitted that there is specific allegation against Md. Arif that he confined the informant in a room at Siwan from 2.9.2016 to 21.10.2016 and established physical relationship with her on pretext that he would marry with her but did not perform marriage.



These petitioners are married sister, mother and brother of Md. Arif.

In such circumstances, prayer for anticipatory bail of the petitioners is allowed. In the event of surrender/arrest of the petitioners, named above, within six weeks from today, in connection with Uchakagaon P.S. Case No. 41 of 2017, they shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Gopalganj, subject to the conditions as laid down under Section 438 (2) Cr. P.C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioners shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason will automatically cancel bail bond of the petitioners and (3) if petitioners tamper with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioners.

(Sanjay Priya, J)

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