

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.13579 of 2017

Arising Out of PS.Case No. -11 Year- 2017 Thana -NAUTAN District-
WESTCHAMPARAN(BETTIAH)

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1. Aurangjeb Alam, Son of Jainul Mian,
2. Mustafa Miyan, Son of Ainul Mian,
3. Meraj Alam, Son of Ainul Mian,
4. Sohrab Alam, Son of Ainul Mian,
All are resident of village - Mahuawa Madarsa, Police Station Jagdishpur,
District - West Champaran Petitioners

Versus

The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar No.-7

For the Opposite Party/s : Mr. Sri Uday Chand Prasad

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA
ORAL ORDER**

2 29-03-2017 Heard learned counsel for the petitioners and learned
counsel representing the State.

Petitioners apprehend their arrest in connection with
Nautan (Jagdishpur) P.S. Case No. 11 of 2017 registered for the
offences punishable under Sections 341, 323, 354A, 354B/34 of
the Indian Penal Code and Section 8 of POCSO Act.

Allegedly, the petitioners caught the informant aged 16
years and tried to outrage her modesty then, she raised alarm,
resulting, nearby persons assembled.

Submission is of false implication and that now good
sense has prevailed between the parties and compromise petition
has also been filed and as such to restore peace in the society the
petitioners deserves sympathetic consideration. Compromise



petition was filed in anticipatory bail application before the learned Sessions Judge but in spite of compromise prayer of pre-arrest bail was rejected. Admittedly, the informant was with her Bua so the allegation appears not reliable and probable and moreover in view of compromise lenient view can be taken.

Learned APP fairly submits that now the informant is not ready to support the prosecution version.

In the facts and circumstances stated above, the petitioners above named, in case of their arrest or surrender within four weeks from the date of receipt/production of a copy of this order, shall 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 Ist Additional Sessions Judge, Bettiah, West Champaran in connection with Nautan (Jagdishpur) P.S. Case No. 11 of 2017, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Jitendra Mohan Sharma, J)

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