

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15450 of 2017

Arising Out of PS.Case No. -16 Year- 2017 Thana -JOGAPATTI District-
WESTCHAMPARAN(BETTIAH)

- =====
1. Wazir Mian, son of Zahani Mian,
 2. Piroo Mian, son of Late Ali Mian, Both are residents of Village- Dii Madarpur, Police Station- Jogapatty, District- West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Brij Kishor Mishra, Advocate

For the Opposite Party/s : Mr. Tapeswar Sharma, APP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 20-04-2017 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 448/376/506/34 of the Indian Penal Code and Section 4 of POCSO Act.

The allegation of commission of rape is against co-accused Gayasuddin.

Submission is that allegation against the petitioner is that when Gayassuddin was being assaulted, the petitioner rescued him. Further submission is that Gayassuddin had already married with the said girl.



Considering the nature of allegation, let the petitioners, above named, in the event of their arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, 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 Additional Sessions Judge-I-cum-Special Judge, West Champaran, Bettiah/Successor Court in connection with Jogapatty Police Station Case No.16 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure. With further condition that petitioners shall fully cooperate with the investigation and trial of the case, failing which the Court-below shall be at liberty to take steps for cancellation of the bail-bonds of the petitioners in this case.

(Birendra Kumar, J)

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