

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8728 of 2017

Arising Out of PS.Case No. -153 Year- 2016 Thana -DULHIN BAZAR District- PATNA

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1. Md. Shamim @ Kaaru , Son of Late Md. Reyazuddin Ansari
2. Shahjahan Khatoon, Wife of Md. Shamim @ Kaaru Both Resident of
Village-Navinagar, P.S. Dulhin-Bazar, District-Patna

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Uday Prasad

For the Opposite Party/s : Mr. Sri Rajendra Prasad Nat

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

2 28-02-2017 Heard learned Counsel for the petitioners and
learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Special (POCSO) Case No. 112 of 2016 arising out of Dulhin Bazar P.S. Case No. 153 of 2016, disclosing offences under Sections 363, 366A/34 of the Indian Penal Code and Section 12 of the POCSO, Act.

Learned counsel for the petitioner has submitted that there is general and omnibus allegation against this petitioner. In fact, there was love affair between the victim girl and Md. Shamsad and they are said to have performed marriage/Nikah on 09.08.2016. Statement to that effect is annexed as annexure-2 to this petition. Moreover, co-accused namely, Md. Naushad @



Naushad @ Raja @ Raj has already been granted bail by a co-ordinate Bench of this Court in Cr. Misc. No. 52201 of 2016. Hence, the petitioners also deserve the privilege of anticipatory bail.

Considering the facts and circumstances of the case, let the petitioners, above named, in the event of their arrest or surrender before the Court below within six weeks, be released on 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 1st Additional Sessions Judge, Patna in connection with Special (POCSO) Case No. 112 of 2016 arising out of Dulhin Bazar P.S. Case No. 153 of 2016, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Arvind Srivastava, J)

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