

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46731 of 2017

Arising Out of PS. Case No.-13 Year-2017 Thana- MAHILA PS District- Aurangabad

-
1. Md. Manzoor S/o late Amiruddin
2. Md. Khushru @ Khusru S/o late Amiruddin
Both R/o village Baturi, P.S. Kasma, Dist. Aurangabad (Bihar).

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manish Kumar

For the Opposite Party/s : Mr. SRI UPENDRA KUMAR

CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR MANDAL
ORAL ORDER

2 21-09-2017 Heard learned counsel for the petitioners, informant and the State.

Apprehending their arrest in connection with Aurangabad Mahila P.S. case no. 13/2017, registered under Section 376, 313, 120B of the IPC, Section 4 of the POCSO Act and Section 3/4 of the Dowry Act, the petitioners have prayed for anticipatory bail.

Learned counsel submits that the allegation of alluring the victim to physical relationship is attributed to co-accused Md. Mansoor. In so far as the allegation constituting the offence under Section 313 I.P.C. is concerned, the allegation is again attributed against co- accused Md. Mansoor and wife of petitioner no.2. There is general allegation of having demanded dowry for marrying co-accused Md. Mansoor with the victim. It



is stated that the victim herself had admitted that she fell in love with co-accused Md. Mansoor.

Learned counsel(s) for the informant and the State, however, submit that the victim was found minor. They have, however, not disputed the fact that the petitioners were not the accused(s) who were involved in sexually assaulting the victim or in forcible termination of her pregnancy.

In view of the above, this Court is inclined to extend them the privilege of anticipatory bail. Let the petitioners, above named, in the event of arrest/surrender in the Court below within four weeks, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Special Judge (POCSO Act), Aurangabad/concerned Court, in connection with Aurangabad Mahila P.S. Case No. 13/2017, subject to the condition as laid down under Section 438(2) of the Cr.P.C. on condition that one of the bailors of each of the petitioners shall be their own/close family members.

(Kishore Kumar Mandal, J)

shyambihari/-

U		T	
---	--	---	--

