

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14847 of 2017

Arising Out of PS.Case No. -1638 Year- 2016 Thana -KATIHAR COMPLAINT CASE District-
KATIHAR

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1. Sk. Islam, son of Late Liyakat
2. Bibi Mustariya, wife of Sk. Islam
3. Sk. Subhan, son of Sk. Ramu @ Md. Islam All Resident of Village-
Dhabaul, P.S. Pranpur, District- Katihar.

.... Petitioners

Versus

1. The State of Bihar.
2. Jaigun W/o Sk. Ispak Resident of Village- Mariya, P.S.- Azamnagar,
District- Katihar.

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Bimal Kumar, Advocate
For the Informant : Mr. R. Singh, Advocate
For the Opposite Party/s : Smt. Madhuri Lata, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 04-04-2017

Heard learned counsel for the petitioners.

The petitioners are apprehending their arrest in connection with C.A.Case No. 1638 of 2016 lodged for the offences punishable under Sections 323, 341 and 366A/34 of the Indian Penal Code but cognizance has been under Section 366 IPC.

It has been submitted on behalf of the petitioners that in this case police had already been submitted final form against the petitioners and thereafter the case was proceeded on the protest petition and cognizance has been taken against the petitioners and even victim in her statement under Section 164 Cr.P.C. during investigation had not stated about complicity of the petitioners.

Heard learned APP and learned counsel for the informant also. Learned counsel for the informant has submitted



that the girl is again traceless and she has made statement under Section 164 Cr.P.C. on being produced by petitioners.

Having heard both sides and in view of the facts and circumstances, as stated above, and as earlier final form has been filed not finding the case true, let the petitioners, named above, in the event of their arrest or surrender in the court within a period of two weeks from the date of receipt/production of a copy of this order, be released on bail on furnishing bail bonds of Rs.25,000/- (Rupees twenty five thousand) each with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate-VI, Katihar, in connection with C.A. Case No. 1638 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and further conditions that bailors should be local persons having sufficient immovable properties within the jurisdiction of the court, petitioners shall appear before the court on each and every date fixed and they will co-operate in the trial, failing which their bail bonds shall be liable to be cancelled.

Accordingly, this application is allowed.

(Vinod Kumar Sinha, J)

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