

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3311 of 2018

Arising Out of PS.Case No. -203 Year- 2017 Thana -GOVINDGANJ District-
EASTCHAMPARAN(MOTIHARI)

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1. Anwar Dewan @ Anwar Shah, S/o Late Noor Dewan,
2. Tavarej Dewan @ Md. Tavarej Dewan,
3. Afaroj Dewan @ Afaroj Raja
Both are Sons of Anwar Dewan , All are R/o Village- Hardia , P.S.-
Govindganj, District- East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Shankar Shrivastava
For the Opposite Party/s : Mr. Narendra Kumar Singh

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 17-02-2018 Heard learned counsel for the petitioners and learned
APP for the State.

Petitioners seek bail in connection with Govindganj
(Areraj) P.S. Case No. 203 of 2017 for offences punishable under
Sections 366-A/363/34 of the Indian Penal Code and Section 6 of
the POCSO Act, 2012.

The prosecution case, as lodged by the informant, is
that her daughter Ladli Khatoon, aged 16 years, had gone for
natural call, but did not return. It is alleged that the petitioners
along with two others have kidnapped her.

It has been submitted by the learned counsel for the



petitioners that they are innocent, both parties are next door neighbours and there was land dispute between the parties for which two cases earlier were lodged by the informant against the petitioners and other family members. He submits that the victim girl has herself appeared before the police station and the statement made under Section 164 Cr.P.C. is a concocted story as the victim is a major as assessed by the Magistrate and the medical report.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let petitioners, above named, be enlarged 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 1st Addl. Sessions Judge cum Special Judge (POCSO Act), East Champaran at Motihari, in connection with Govindganj (Areraj) P.S. Case No. 203 of 2017, subject to the following conditions :

- (i) One of the bailors would be a close relative of the petitioners having sufficient immovable property, who will file an affidavit stating his relationship with the



petitioners.

- (ii) If the petitioners indulge in an offence of similar nature in future, the prosecution will be at liberty to move the learned court below for cancellation of their bail bonds.

(Nilu Agrawal, J)

Rajesh/-

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