

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4247 of 2018

Arising Out of PS.Case No. -177 Year- 2017 Thana -GAYGHAT District- MUZAFFARPUR

- =====
1. MD. ALI HUSSAIN @ MD. MUNNA ANSARI @ MUNNA @ ALI HUSSAIN,
 2. Md. Jafir Ansari @ Md. Jafir,
 3. Md. Jakir Ansari @ Md. Jakir, all three son of Late Bhola Ansari @ Md. Bhola, resident of Village- Ramnagar, P.S.- Gaighat, District- Muzaffarpur.
 4. Md. Shamshad Ansari @ Md. Shamshad, son of Md. Gafur Ansari, resident of Village- Gyasuddinpur, P.S.- Gaighat, District- Muzaffarpur.
- Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar, Advocate

For the Opposite Party/s : Smt. Meena Singh, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3/ 29-03-2018

Heard learned counsel for the petitioners and learned
APP for the State.

Petitioners apprehend their arrest in **Gaighat P.S.**

Case No.177 of 2017 instituted for the offence under Section(s)
363, 366-A Indian Penal Code and Section 8 of the POCSO Act.

Counsel for the petitioners has submitted that this
false case has been filed by the informant on account of land
dispute. The victim girl has given statement under Section 164Cr.
P. C., in which, although she has taken name of these petitioners,
but has stated that no any illegal act was committed by any of the
petitioners.



Counsel for the petitioners has further submitted that occurrence is said to have taken place on 18.08.2017, but First Information Report has been lodged on 22.08.2017 after delay of four days.

From perusal of statement recorded under Section 164 Cr. P. C., it appears that the victim has levelled general and omnibus allegation against the petitioners.

In the facts and circumstances of the case, prayer of the petitioners for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioners, named above, within six weeks from today in connection with **Gaighat P.S. Case No.177 of 2017**, they shall 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 the **Additional Sessions Judge, 1st-cum-Special Judge, POCSO Act, Muzaffarpur**, subject to the conditions as laid down under Section 438(2) Cr. P. C. with further conditions: (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioners shall cooperate in the trial and shall be present on each and every date fixed by the court and their absence on two consecutive dates without proper and reasonable reason will be liable to cancel their bail



bonds and (3) if petitioners tamper with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioners.

JA/-

(Sanjay Priya, J)

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