

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46544 of 2018

Arising Out of PS.Case No. -24 Year- 2018 Thana -MAHILA P.S. District- BHAGALPUR

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1. Bibi Sabana Khatoon @ Sabana wife of Md. Shahabuddin
2. Md. Shahabuddin son of Late Suleman
Petitioner nos. 1 and 2 resident of Village- Fatehpur, Police Station-
Zeromile, District- Bhagalpur.
3. Md. Faiyaz son of Late Jamil resident of Mohalla- Barahpura, Police
Station- Ishakchak, District- Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Najmul Hodda

For the Opposite Party/s : Mr. Sri Anant Kumar

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 24-08-2018 Heard learned counsel for the petitioners as well as the

State.

The petitioners apprehend their arrest in Bhagalpur
Mahila P.S. Case No. 24/2018, instituted for the offences
punishable under Sections 354B, 323, 341, 448 and 379/34 of the
Indian Penal Code read with Section 8 of POCSO Act.

Learned counsel for the petitioners has submitted that
the instant case is counter blast of Industrial P.S. Case No.
60/2018 lodged by petitioner no. 2 against the informant and
others. In the instant case, it is alleged that while the informant
was returning from Sabour Market, accused Md. Shahrukh started



to tease her and pulled her down with bad intention. Then she raised alarm. It is further alleged that when she came at home she narrated the story to her grandmother and thereafter at about 10 O'clock at night, the accused persons entered into her house and assaulted the informant and other family members. In this manner, there is general and omnibus allegation against these petitioners.

Considering the facts and circumstances of the case, the prayer for anticipatory bail of the petitioners is allowed. In the event of surrender/arrest of the petitioners, named above, within six weeks from today, in connection with Bhagalpur Mahila P.S. Case No. 24/2018, 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 learned Additional Sessions Judge 1st, Bhagalpur, subject to the conditions as laid down under Section 438(2) of the 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 absence on two consecutive dates without proper and reasonable reason will automatically cancel bail bond of the petitioners 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.

(Sanjay Priya, J.)

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