

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.74096 of 2018

Arising Out of PS. Case No.-365 Year-2017 Thana- MAJHAULIA District- West Champaran

1. Ekbal Gaddi.
2. Firoj Gaddi, Both sons of Amrullah Gaddi.
3. Aisa Khatoon, Wife of Amrullah Gaddi.
4. Amrullah Gaddi, Son of Late Ramjan Gaddi.
5. Husalbano Khatoon, Wife of Faiyaj Gaddi ,
6. Faiyaj Gaddi , Son of Sukhadi Gaddi @ Samsul Haque Gaddi.
7. Benga Gaddi, Wife of Mojdar Gaddi.
8. Sahgama Khatoon, Wife of Firoj Gaddi. All are resident of Village- Bathna, Ward No. 1, P.S.- Majhauria, District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sachida Nand Rai, Advocate

For the Opposite Party/s : Mr. Manish Kumar 2, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

2 17-12-2018 Heard learned counsel for the petitioners and learned counsel for the State.

The petitioners apprehend their arrest in connection with Majhauria P.S.Case No. 365 of 2017, registered for the alleged offenses punishable under Sections 366 (A) and 372/34 of the Indian Penal Code and Section 8 of the POCSO Act.

As per F.I.R. allegation against the petitioners is of kidnapping the daughter of the informant for the purpose of marry with one Abbas Gaddi, son of the petitioner No. 4.

From perusal of the F.I.R., it appears that the statement



of the victim girl recorded under Section 164 Cr. P. C., which has been enclosed as Annexure-2 wherein she has stated that she had voluntary gone to the house of her Mama and after staying one day in his house, she went to the house of her Bua. It is further submitted that the petitioners have falsely been implicated in this case and they have no criminal antecedents and similarly situated other co-accused person has been granted anticipatory bail vide order dated 28.02.2018 passed in Cr. Misc. No. 12384 of 2018 and another co-accused in Cr. Misc. No. 19646 of 2018.

Considering the facts and circumstances of the case, the prayer for anticipatory bail of the petitioners is allowed and they in the event of arrest or surrender before the Court below within a period of six weeks from today, are directed to be enlarged on anticipatory 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 Additional Sessions Judge 1st cum Special Judge, West Champaran, Bettiah in connection with Majhaulia P.S.Case No. 365 of 2017 and also subject to the condition that one of the bailors of the petitioners shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court. The petitioners



will not induce any witness or tamper with the evidences. The petitioners shall co-operate in the disposal of trial and make themselves available as and when required by the Court.

(Sanjay Kumar, J)

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