

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.68307 of 2018

Arising Out of PS. Case No.-245 Year-2017 Thana- KATEYA District- Gopalganj

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1. Babloo Mian @ Babloo @ E Fran @ Irfan Mian,
 2. Dhanu Mian @ Afroj @ Afraj, Both Sons of Jahruddin Mian @ Mohammad Jahruddin,
 3. Asma Khatoon, Wife of Jahruddin Mian, All residents of Village- Saidpura, Police Station- Kateya, District- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar
For the Opposite Party/s : Smt. Anita Kumari Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 17-12-2018 Heard learned counsel for the petitioners and the
counsel appearing on behalf of the State.

The petitioners are apprehending their arrest in connection with Kateya P.S. Case No. 245 of 2017 for the offence under Section 366A/34 of the Indian Penal Code.

Learned counsel appearing on behalf of the petitioner No.2 submits that the petitioner no.2 has been arrested during the pendency of the application, in view of the above, the application has become infructuous on behalf of petitioner No.2.

Learned counsel for the petitioner submits that the petitioners have no criminal antecedent. He further submits that victim in her statement recorded under section 164 Cr.P.C.



submitted that she has voluntarily joined the company of petitioners although the age of the victim has been assessed by the Court is 16 years.

Considering the fact that the parties have entered into compromise, the Court directs the Court below to verify the factum of compromise by recording the statement of the informant of the case and if it is found that parties have entered into compromise, the Court below, in the event of arrest or surrender within one month from today, be released the petitioners on 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 Court of learned Additional Chief Judicial Magistrate-XV, Gopalganj, in connection with Kateya P.S. Case No. 245 of 2017, only after recording the statement of informant subject to the conditions as laid down under Section 438 Cr.P.C.

(Anil Kumar Upadhyay, J)

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