

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26255 of 2018

Arising Out of PS.Case No. -20 Year- 2018 Thana -BEGUSARAI MUFFASIL District-
BEGUSARAI

- =====
1. Md. Siddique Miyan @ Md. Siddique, son of Borhan Miyan.
 2. Md. Mahboob son of Md. Siddique Miyan @ Md. Siddique.
 3. Md. Jawed, son of Md. Siddique Miyan @ Md. Siddique,
 4. Md. Aslam, son of Md. Hamid
 5. Md. Masoom, son of Taiyab,
 6. Md. Azeem, son of Ishaque @ Md. Ishak

All residents of village- Suja Tola, P.S.- Muffasil, District-
Begusarai.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sandip Kumar Gautam, Advocate

For the Opposite Party/s : None

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 03-05-2018 Heard learned counsel for the petitioners, Despite repeated calls, no body appears on behalf of the State.

The petitioners seek pre-arrest bail in connection with Muffasil P.S. Case No.20 of 2018 registered under Section 376 of the Indian Penal Code and Sections 7 and 8 of the Protection of Children from Sexual Offences Act.

It is submitted by the learned counsel for the petitioners that even if the entire allegations made in the first information report are accepted to be true, none of the ingredients of the offences punishable under Section 376 of the Indian Penal Code



and Sections 7 and 8 of the Protection of Children from Sexual Offences Act would be attracted against the petitioners. He submitted that there is direct and specific allegation against co-accused Md. Mister to have established physical relationship with the daughter of the informant on the pretext of marriage and the petitioners have been implicated only because they happen to be the family members of said Md. Mister.

Having regard to the nature of allegations made in the first information report and the submissions made above, in the event of arrest or surrender in the court below within six weeks from today, the petitioners are directed to be released 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 learned Additional Sessions Judge-1, Begusarai in connection with Muffasil P.S. Case No.20 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Ashwani Kumar Singh, J)

Md.S./-

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