

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.69517 of 2018

Arising Out of PS. Case No.-177 Year-2018 Thana- BUXAR INDUSTRIAL District- Buxar

1. Hushnara wife of Shamshad Khan.
2. Shamshad Khan, Son of Shukurullah Khan.
3. Jeepu Khan @ Dilshad Khan, Son of Shamshad Khan.
4. Japani Khan @ Irshad Khan, Son of Shamshad Khan. All resident of Village- Baraki Sarimpur, P.S.- Buxar (Industrial), District- Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Satyapal Singh

For the Opposite Party/s : Mr. Sri Satyadev Prasad Singh Yadav

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 17-12-2018 Heard learned counsel for the parties.

This application for anticipatory bail arises out of Buxar (I)P.S. Case No. 177 of 2018 (POCSO Case No. 53 of 2018), disclosing offences under Sections 376/511 of the Indian Penal Code and Section 11 of the POCSO Act.

Learned counsel appearing on behalf of the petitioners has submitted that the allegation of criminal misconduct constituting offence under Sections 376/511 of the Indian Penal Code and Under Section 11 of the POCSO Act is against Raja Khan, a co-accused. These petitioners are family members of Raja Khan and it is alleged that when the informant when to the petitioners making allegation against the misdeeds of Raja Khan, they chased her to



assault.

Learned counsel for the petitioners is correct in his submission that the petitioners have been implicated only because they are family members of the main accused, Raja Khan. This application is allowed.

Let the petitioners above named in the event of their arrest/surrender within six weeks from today in the Court below, 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 the learned A.D.J.-I-Cum-Special Judge SC/ST Act and POCSO, Buxar in Buxar (I_ P.S. Case No. 177 of 2018 corresponding to POCSO Case No. 53 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioners shall present themselves before the Police/Court, as the case may be, as and when required and in the event of failure on their part to appear before the Court on two consecutive occasions, their bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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