

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15438 of 2019

Arising Out of PS. Case No.-268 Year-2018 Thana- PHULWARIYA District- Gopalganj

1. Aftab Alam @ Aftal Alam Son of Abdul Bari, Resident of Village- Dharampur, Police Station- Salempur, District- Dewariya (Uttar Pradesh)
2. Mustafa Alam @ Mustafa Son of Abdul Bari, Resident of Village- Dharampur, Police Station- Salempur, District- Dewariya (Uttar Pradesh)
3. Imarana Khatoon Wife of Aftab Alam, Resident of Village- Dharampur, Police Station- Salempur, District- Dewariya (Uttar Pradesh)
4. Kuraisha Khatoon Wife of Mazarul Haque, Resident of Village- Pawar Batraha, Police Station- Fulwariya, District- Gopalganj

... .. Petitioners

Versus

The State of Bihar.

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Milind Kumar Mishra

For the Opposite Party/s : Mr.Shyam Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

3 20-05-2019 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Fulwariya Police Station Case No. 268 of 2018 for the offence punishable under Sections 363, 366A, 120(B), 34 of the Indian Penal Code and Section 4/6 of the POCSO Act.

Learned counsel appearing for the petitioners submits that the petitioners, who are of clean antecedent, are innocent and have not committed any offence. In fact, according to the statement of the victim recorded u/s. 164 Cr.P.C. the age of



victim girl is assessed about 17-18 years and there is no evidence of sexual assault which is evident from Annexure-2. No specific case is made out against these petitioners. Hence, the petitioners may be granted the privilege of anticipatory bail.

Considering the facts and circumstances of the case, let the above named, petitioners in the event of surrender within a period of four weeks be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge, 1st, Gopalganj in connection with Fulwaria Police Station Case No. 268 of 2018 subject to the conditions laid down under Section 438(2) of the Cr.P.C.

(Arvind Srivastava, J)

ved/-

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