

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43914 of 2019

Arising Out of PS. Case No.-16 Year-2019 Thana- BEERPUR District- Begusarai

1. Md. Kalim @ Kalimuddin Son of Late Md. Suleman Resident of Village-Mohanpur, P.S.-Muffasil, District-Begusarai. Presently resident of village-Sikrahula, P.S-Birpur, District-Begusarai.
2. Sanjo Khatoon @ Sanjeeda Khatoon Wife of Md. Kalim @ Kalimuddin Resident of Village-Mohanpur, P.S.-Muffasil, District-Begusarai. Presently resident of village-Sikrahula, P.S-Birpur, District-Begusarai.
3. Mumtaj Bano @ Soni Khatoon Daughter of Md. Kalim @ Kalimuddin Resident of Village-Mohanpur, P.S.-Muffasil, District-Begusarai. Presently resident of village-Sikrahula, P.S-Birpur, District-Begusarai.
4. Md. Salim Son of Md. Kalim @ Kalimuddin Resident of Village-Mohanpur, P.S.-Muffasil, District-Begusarai. Presently resident of village-Sikrahula, P.S-Birpur, District-Begusarai.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners	:	Mr.Ram Sumiran Rai
For the Opposite Party/s	:	Mr.Anish Chandra, APP
For the Informant :		Mr. Shubhesh Pandey
		Mr. Murlidhar Mishra

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 17-07-2019

Heard learned counsel for the parties.

This application for anticipatory bail arises out of Birpur P.S. Case No. 16 of 2019 for the offence punishable under Sections 376 and 506/34 of the Indian Penal Code and Section 4, 8 and 12 of POCSO Act.

The petitioners are related to co-accused Md. Alim. There is allegation in the First Information Report of physical exploitation of the informant by co-accused Md. Alim.

Learned counsel appearing on behalf of the



petitioners appears to be *prima facie* correct in his submission that implication of these petitioners is because of their relationship with the main accused.

Learned counsel appearing on behalf of the informant has vehemently opposed the prayer for anticipatory bail.

However, in the facts and circumstances, 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 Addl. Sessions Judge-1st-cum-Spl. Judge, POCSO Act, Begusarai, in Birpur P.S. Case No. 16 of 2019, 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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