

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61716 of 2019

Arising Out of PS. Case No.-212 Year-2019 Thana- CHANPATIA District- West Champaran

1. Shahrukh Khan Miyan @ Shahrukh Miya, Son of Harun Mian Resident of Village - Bankatwa, P.S.- Chanpatiya, District- West Champaran
2. Sarfaraj Miya Son of Harun Mian Resident of Village - Bankatwa, P.S.- Chanpatiya, District- West Champaran
3. Harun Miya Son of Ishahaqua Miya Resident of Village - Bankatwa, P.S.- Chanpatiya, District- West Champaran
4. Hasalbani Khatoon Wife of Harun Miya Resident of Village - Bankatwa, P.S.- Chanpatiya, District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhannjay Kumar No 2
For the Opposite Party/s : Mr.Md. Ataur Rahman

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 14-10-2019 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Chanpatiya P.S. Case no. 212 of 2019, registered under Sections 366(A)/34 of the Indian Penal Code and Section 4 of the POCSO Act.

The accusation is of kidnapping of minor daughter of informant Rangita Devi by Saif Ali Miya with the help of his family members for the purpose of marriage.

Learned counsel for the petitioners submits that petitioner No.1 Shahrukh Khan Miyan @ Shahrukh Miya and petitioner No.2 Sarfaraj Miya are the brothers, whereas,



petitioner No.3 Harun Miya and petitioner No.4 Hasalbani Khatoon are father and mother of co-accused Saif Ali Miya and they have falsely been implicated in this case being the family members of Saif Ali Miya. Moreover, the daughter of informant was apprehended by the Police and produced in the trial Court, where she gave application to go with her husband co-accused Saif Ali Miya, which would appear vide order dated 22.07.2019 (Annexure-4). The petitioners have no criminal antecedent.

Having regard to the facts and circumstances of the case, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of four weeks from today, 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-I-cum-Special Judge (SC/ST/POCSO Act), Bettiah, West Champaran in connection with Chanpatiya P.S. Case No. 212 of 2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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