

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75351 of 2019

Arising Out of PS. Case No.-402 Year-2019 Thana- BETTIAH CITY District- West
Champaran

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1. RAJ KUMAR @ KALIMUDDIN @ KALIMUDDIN QURAIISI Son of Karimullah Quraishi @ Karim Resident of Mohalla - Najni Chowk, Ganj No. 2, P.S.- Bettiah (Town), Distt - West Champaran. At present of Village - Bharatia, P.S.- Manua Pool, Distt - West Champaran.
 2. Karimullah @ Md. Karim @ Karimullah Quraishi @ Karim @ Md. Kari Son of Md. Nurul Quraishi Resident of Mohalla - Najni Chowk, Ganj No. 2, P.S.- Bettiah (Town), Distt - West Champaran. At present of Village - Bharatia, P.S.- Manua Pool, Distt - West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Akhileshwar Kumar Shrivastva
For the Opposite Party/s : Mr.Anuj Kumar Shrivastava

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 26-11-2019 Heard both sides.

Petitioners seek bail in Bettiah (T) P.S. Case No.402 of 2019 registered under Sections 366(A) and 34 of the IPC and under section 8 of the POCSO Act.

The informant alleged that his minor daughter went for morning walk but she did not return. During course of search the informant came to know that Md. Mustafa Quraishi and the petitioners kidnapped his minor daughter. The informant further disclosed that the villagers informed him that Md. Mustafa Quraishi and his friends kidnapped his minor daughter.



Learned counsel for the petitioners submits that the petitioners are elder brother and father of Md. Mustafa Quraishi. The victim made her statement under Section 164 of the Cr.P.C. but the victim did not disclose the name of the petitioners. The petitioners applied for certified copy of the statement of the victim but the same was not made available to the petitioners. It is further submitted that there is absolutely no material against the petitioners. The petitioners earlier moved this court for grant of anticipatory bail in Cr.Misc.No.51464 of 2019 but the same was dismissed and thereafter the petitioners surrendered in the court below on 13.09.2019. The petitioners are in jail for about two and half months.

Having considered the facts aforesaid, the petitioners named above are directed to be released on bail on furnishing bail bonds of Rs.10,000/-(rupees ten thousand) each with two sureties of like amount each to the satisfaction of learned 1st Additional Sessions Judge-cum-Special Judge (SC/ST/POCSO), West Champaran at Bettiah in connection with Bettiah (T) P.S. Case No.402 of 2019.

(Prabhat Kumar Jha, J)

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