

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1192 of 2019

Arising Out of PS. Case No.-44 Year-2018 Thana- PURUSHOTTAMPUR District- West
Champaran

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1. Kaushar Mian son of Late Hadeesh Mian
2. Nasar Mian @ Nesar son of Late Hadeesh Mian
3. rahana Khatoon w/o Kaushar Mian
4. Jokhani Khatoon w/O Neasar Mian
5. Hasantara Khatoon w/o Late Hadeesh Mian
all resident of village Parsa, P.S. Purushottampur, District West Champaran

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey
For the Opposite Party/s : Mr.Sri Ganesh Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA

ORAL ORDER

2 17-01-2019 Heard the parties.

The petitioners are apprehending their arrest in connection with Purushottampur P.S.Case no.44 of 2018 , registered for offences punishable under Sections 363, 366, 366A, 34 of the Indian Penal Code and Section 8 of the POCSO Act.

Allegation against the petitioners along with other accused persons is of kidnapping of the minor daughter of the informant.

Submission of the learned counsel for the petitioners is that the main allegation is against one Shamsad Mian and the



petitioners are the father, mother and other relatives of Shamad. It is further submitted that during the pendency of this application, the girl has been recovered and she has made statement under Section 164 Cr.P.C. denying the story of kidnapping rather she has stated that she had gone on her own sweet-will and the age of the girl has been assessed in the medical examination as 18-19 years.

Heard learned A.P.P. and the learned counsel for the informant. They have opposed the prayer for bail of the petitioner on the ground that the girl was minor. .

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioners, above named, in the event of arrest or surrender before the court below within a period of six weeks from the date of order be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge I, cum Special Judge, Bettiah, West Champaran in connection with Purushottampur P.S.Case No.44 of 2018, subject to condition as laid down under Section 438 (2) of the Code of Criminal Procedure, with further condition to co-operate in the investigation of the case..

With the aforesaid observation, this application is



allowed.

(Vinod Kumar Sinha, J)

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