

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 9304 of 2020

Arising Out of PS. Case No.-54 Year-2019 Thana- BHANGWANPUR HAT District- Siwan

NAUSHAD ALI @ NAUSHAD ALAM, Son of Ainul Miyan, Resident of
Village - Badka Gaon, P.S.- Bhagwanpur Hat, District – Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ramchandra Sahni

For the Opposite Party/s : Mr.Nawal Kishore Prasad

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 02-03-2020 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case registered for the offence punishable under Sections 363/366(A)/34 of the Indian Penal Code and Section 8 of the POCSO Act.

Allegation as per FIR, it is stated by the informant that his minor daughter Shabnam Khatoon was taken away by his son-in-law Kaumuddin Alam as well as other accused persons which included the petitioner.

Learned counsel for the petitioner submits that the statement of the co called victim daughter was recorded under Section 164 Cr.P.C., a copy of which has been brought on record as Annexure-2 to the application wherein she has categorically stated that she has married with her brother-in-law and both sisters are living with him. It further submits that from perusal



of the statement under Section 164 Cr.P.C. it would be evident that while the learned Magistrate has estimated the age of the informant's daughter as 18 years, she has stated her age to be 19 years. The petitioner has got no criminal antecedent. The similarly situated co-accused have been granted anticipatory bail by the Co-ordinate Bench of this Court vide order dated 20.11.2019 in Cr. Misc. No.74829 of 2019.

Learned APP has opposed the prayer for bail.

In the aforesaid facts and circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of six weeks from the date of receipt of the order, be released on anticipatory bail on furnishing bail bonds of Rs. 20,000/- (rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Siwan, in connection with Bhagwanpur Hat P.S. Case No. 54 of 2019, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anjani Kumar Sharan, J)

amitkumar/-

U		T	
---	--	---	--

