

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.13980 of 2020**

Arising Out of PS. Case No.-6 Year-2020 Thana- MAHILA P.S. District- Kishanganj

1. MD. MOJIBUL @ MD MAJIBUL S/o Manzur R/o village- Mahalbari, P.S. and District- Kishanganj
2. Mushtari Begum W/o Md. Mojibul @ Md. Majibul R/o village- Mahalbari, P.S. and District- Kishanganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Ram Prawesh Kumar

For the Opposite Party/s : Mr.Anita Kumari

**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

2      03-07-2020                      Due to COVID-19 Pandemic, the matter is being taken up by way of Virtual Court proceeding.

The matter has been listed under the heading ‘For Orders’ under the orders of Hon’ble the Chief Justice.

Heard learned counsel for the petitioners and learned APP for the State.

The petitioners are apprehending their arrest in a case registered under Sections 376 (A, B), 504/34 of the Indian Penal Code and 4 of POCSO Act.

The prosecution allegation, in short, is that the accused person established physical relation with the minor daughter of the informant and when the informant asked about



the incident, he was assaulted by the accused persons.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. The main allegation is against co-accused namely Muslim who is alleged to have committed rape on the victim. There is no allegation of commission of rape against the petitioners. The petitioners have been made accused in the present case on being parents of co-accused namely Muslim.

On behalf of the State, it is submitted that the petitioners are named in the F.I.R.

Considering the facts and circumstances of the case and also the lockdown, the petitioners above named, in the event of arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on their personal bonds to the satisfaction of Additional District & Sessions Judge, 1st-cum- Special Judge, Kishanganj in connection with Kishanganj Mahila P.S. Case No. 06/2020, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

Once the normalcy is restored, the petitioners shall furnish bail bonds of Rs. 10,000/- (Rupees ten thousand) with



two sureties of the like amount each within a period of seven weeks to the satisfaction of the Court concerned in connection with the aforesaid case.

**(Sudhir Singh, J)**

Pankaj/-

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