

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86076 of 2019

Arising Out of PS. Case No.-84 Year-2019 Thana- PRATAPGANJ District- Supaul

1. Md. Harun, Son of Late Samsuddin Resident of Village - Islampur, Ward No. 01, P.S.- Pratapganj, District - Supaul.
2. Md. Kalam Son of Late Md. Habib Resident of Village - Islampur, Ward No. 01, P.S.- Pratapganj, District - Supaul.
3. Md. Alam Son of Md. Habib Resident of Village - Islampur, Ward No. 01, P.S.- Pratapganj, District - Supaul.
4. Md. Mehrav @ Md. Mehraj @ Mehraj Son of Md. Harun Resident of Village - Islampur, Ward No. 01, P.S.- Pratapganj, District - Supaul.
5. Md. Sartuja @ Md. Surjuta Son of Md. Akbal Resident of Village - Islampur, Ward No. 01, P.S.- Pratapganj, District - Supaul.
6. Md. Islam Son of Md. Suleman @ Sainul Resident of Village - Durgapur Suryari, P.S.- Pratapganj, District - Supaul.
7. Md. Ahsan @ Md. Ehsan Son of Md. Hasham Resident of Village - Duania, P.S.- Pratapganj, District - Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nafisuzzoha, Advocate
For the Opposite Party/s : Mr. Sunil Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

3 17-06-2020 Heard Mr. Nafisuzzoha, learned counsel for the petitioners and learned APP for the State.

The petitioners seek bail in anticipation of their arrest in connection with Pratapganj P.S. Case No. 84 of 2019 dated 30.08.2019 instituted for the offences under Sections 341, 323, 354B, 452, 504, 506 and 34 of the Indian Penal Code and Section 8 of the POCSO Act.

From a perusal of the FIR, it appears that



one Md. Ishtak @ Moharram had entered in the house of the informant and had attempted to outrage the modesty of a girl. However, he was rescued by his relatives and other members of the village. The petitioners are residents of the village and some of them are also distantly related to the aforesaid Md. Ishtak @ Moharram. There is no overt act attributed to the petitioners except for the fact that they are sympathizers of Md. Ishtak @ Moharram.

Apart from this, it has been submitted that the occurrence took place on 24.08.2019, but the report about the case was lodged on 30.08.2019 and without any plausible explanation. There is a complaint case also pending between the parties. There is litigation between the informant's family and the family of Md. Ishtak @ Moharram.

Considering the aforementioned facts, the petitioners are directed to be released on bail, in the event of their arrest or surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, on their furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge 1, Supaul in connection with Pratapganj



P.S. Case No. 84 of 2019, subject to the conditions as
laid down under Section 438(2) Cr.P.C.

(Ashutosh Kumar, J)

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