

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86468 of 2019

Arising Out of PS. Case No.-146 Year-2019 Thana- MAHILA P.S. District- Araria

1. MD. SAKIR, age-55 years (Male), Son of Late Hasan.
2. Bibi Asmin, aged-50 years (Female), wife of Md. Sabir.
3. Md. Mohit @ Mohid, age-45 years (Male), Son of Late Hasan.

All resident of Village - Bhangiya Ward No. 10, P.S.- Araria
(Bairgachhi), District- Araria.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Rana
For the Opposite Party/s : Mr.Pancha Nand Pandit

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 20-02-2020 Heard learned counsel for the petitioners and

learned counsel for the State.

In this case, the petitioners is seeking anticipatory
bail in connection with Special (POCSO) Case No. 63 of 2019,
arising out of Araria (Mahila) P.S. Case No. 146 of 2019,
registered for the offence under Sections 376, 354A, 506/34 of
the Indian Penal Code and under Section 6 of the POCSO Act.

There is direct allegation against Md. Muntazir to
have forcibly taken the victim to the agricultural field and
committed rape on her. When she raised alarm, one Md.
Dawood, came there and saved her.

Learned counsel for the petitioners submits that the



petitioners are father, mother and uncle of co-accused namely, Md. Muntazir.

Looking to the aforesaid facts, let the petitioners, above-named, be released on anticipatory bail in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of the 1st Additional Sessions Judge- cum- Special Judge, Araria, in connection with Special (POCSO) Case No. 63 of 2019, arising out of Araria (Mahila) P.S. Case No. 146 of 2019, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure. Further condition is that whenever the police will call the petitioners for the purposes of investigation and interrogation, they will remain present for the investigation. In the event of being absent on two consecutive dates without reasonable explanation, the present order will be treated to have been cancelled

(Shivaji Pandey, J)

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