

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24450 of 2021

Arising Out of PS. Case No.-439 Year-2019 Thana- ARA NAGAR District- Bhojpur

1. Azmeri Begum W/O Main Sai Resident of Mohalla - Hanuman Tola Dharhara, P.S. Ara Town, District - Bhojpur.
2. Afroj Sai S/o Main Sai Resident of Mohalla - Hanuman Tola Dharhara, P.S. Ara Town, District - Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Najmul Hodda, Advocate
For the Opposite Party/s : Mr. APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 18-11-2021 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners seek regular bail in connection with
POCSO Case No. 09 of 2021 arising out of Ara Town P.S. Case
No. 439 of 2019 instituted for the offences under Sections 366A
and 34 of the Indian Penal Code.

Learned counsel for the petitioners submits that the
petitioners are in custody since 20.01.2021 and charge-sheet has
been submitted in the case.

Learned counsel for the petitioners submits that there
was a love affair between the daughter of the informant and one
of the accused Karim Sai and they performed marriage on
28.08.2019 and for that an affidavit has been sworn by both of



them. Learned counsel further submits that petitioners are not named in the F.I.R. and the age of the victim has been assessed to be above 18 years. Further, the victim has not disclosed the name of the petitioners in her statement under Section 164 Cr.P.C. and one of the named accused in the F.I.R. Firoj Sai has been granted bail by order dated 20.02.2020 in Cr. Misc. No. 86253 of 2019.

Learned A.P.P. for the State vehemently opposes the prayer for regular bail of the petitioners.

Considering the fact that the petitioners are in custody since 20.01.2021, co-accused Firoj Sai who is named in the F.I.R. has been granted bail and charge-sheet has been submitted in the case, let the petitioners above named be released on bail on furnishing of bail bond of Rs. 10,000/- (Rupees Ten Thousand only) each with two sureties of the like amount each to the satisfaction of learned Addl. Sessions Judge-VI, Bhojpur, Ara in connection with Ara Town P.S. Case No. 439 of 2019 subject to the condition as laid down under Section 437 (3) Cr.P.C.

(Satyavrat Verma, J)

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