

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.32086 of 2020**

Arising Out of PS. Case No.-543 Year-2019 Thana- SIKARPUR District- West Champaran

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1. MD. ASIF Son of Sheikh Nejammuddin Resident of Village - Mahuawa, P.S. - Shikarpur, District - West Champaran.
2. Rahmat Alam @ Babloo Son of Sheikh Chokat Resident of Village - Manguraha, P.S. - Ramnagar, District - West Champaran.

... .. Petitioners.

Versus

The State of Bihar

... .. Opposite Party.

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**Appearance :**

For the Petitioners : Mr. Umesh Chandra Verma, Advocate.  
For the State : Mr. Vinod Shanker Modi, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA**

ORAL ORDER

3      08-03-2021                      Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Shikarpur P.S. Case No.543 of 2019 registered under Sections 341, 323 and 354-B/34 of the Indian Penal Code besides Section 8 of the Protection of Children from Sexual Offences Act, 2012 (POCSO Act).

The accusation is that in the evening of 16.12.2019, when the daughter of the informant Jahangir Khan, aged about 15 years, was returning to her house from the field, in the way, the petitioner no.1 tried to carry her in the sugarcane field, then she raised alarm, on which the informant and his wife reached



there, then the petitioner no.1 fled away. Thereafter, the informant and his wife chased the petitioner no.1 and when they apprehended him near the sheller mill of Manoj, then the petitioner no.1 started to scuffle with the wife of the informant. In the meantime, the petitioner no.2, the brother-in-law of the petitioner no.1, reached there and both started to cause assault them, as a result whereof the wife of the informant became unconscious. The informant claimed that since before ten days, the petitioner no.1 used to tease his daughter.

Learned counsel for the petitioners submits that due to land dispute, the informant has lodged the present case with false allegation and after settlement of the land dispute, the informant and his daughter filed a compromise petition in the court of the Additional Sessions Judge-VII-cum-Special Judge, POCSO Act, West Champaran, Bettiah, which would appear from Annexure-2 to the supplementary affidavit filed on behalf of the petitioners.

Having considered the facts and the circumstances of the case, let the petitioners, above named, in the event of their arrest or surrender by them within six weeks from today, be enlarged on bail on their furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like



amount each to the satisfaction of the 7<sup>th</sup> Additional Sessions Judge-cum-Special Judge, under POCSO Act, West Champaran, Bettiah, in connection with Shikarpur P.S. Case No.543 of 2019, subject to the conditions laid down under Section 438(2) Cr.P.C.

**(Rajendra Kumar Mishra, J)**

P.S./-

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