

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38444 of 2020

Arising Out of PS. Case No.-17 Year-2020 Thana- BALTHAR District- West Champaran

1. BECHU MIAN @ BECHU MIYAN S/o Late Farman Mian R/o Village-Siswaniya, P.S.-Palanwa, District-East Champaran.
2. SAMIMUL KHATOON W/o Haider Mian @ Haider Ali R/o Village-Len Parsa, P.S.-Balthar, District-West Champaran.
3. HAIDER MIAN @ HAIDER ALI S/o Serajul Mian R/o Village-Len Parsa, P.S.-Balthar, District-West Champaran.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey, Advocate
For the Opposite Party/s : Mr.Md. Aslam Ansari, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 28-10-2021 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

Let the defects, as pointed out by the office, be removed within four weeks of start of normal functioning of the physical court.

Petitioners apprehend their arrest in connection with Balthar P.S. Case No. 17 of 2020 registered for the offences punishable under Sections 363, 366(A) of the Indian Penal Code and Section 8 of the POCSO Act.

According to prosecution case, on 31.01.2020 at about 7:00 P.M. petitioners along with co-accused Idu Mian allured



the informant's daughter and took away her on pretext of marriage. He further alleges that till the date of registration of the FIR, the victim girl has not been returned to her home.

Learned counsel for the petitioners submits that the informant's daughter was in love with co-accused Idu Mian and she left the house on her own sweet will and the petitioners had no knowledge regarding the alleged incident. Learned counsel further submits that they have no concern with the alleged occurrence and the allegation made in the FIR is absolutely concocted and baseless. Petitioners do not have any criminal antecedent.

The learned Additional Public Prosecutor submits that from perusal of the case diary it transpires that the informant's daughter was in love affair with co-accused Idu Mian and both of them left the house on their own sweet will.

Considering the aforesaid facts and circumstances as well as submissions of the parties, the petitioners above named, in the event of their arrest/ surrender before the court below within a period of six weeks from today, are directed to be released on bail on furnishing bail bonds of Rs 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-7th cum



Special Judge, West Champaran, Bettiah in Balthar P.S. Case
No. 17 of 2020, subject to the conditions as laid down under
Section 438(2) of the Cr.P.C.

(Rajesh Kumar Verma, J)

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