

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17733 of 2022

Arising Out of PS. Case No.-398 Year-2021 Thana- SIKARPUR District- West Champaran

1. Azim Ansari Son Of Azahar Ansari @ Ajhar Miya Resident Of Village - Mahuwa Bhusha Ward No.13, P.S.- Gaunaha, Distt.- West Champaran.
2. Munni Khatoon W/o Rajjak Dewan Resident of Village - Mahuwa Bhusha Ward no.13, P.s.- Gaunaha, Distt.- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Brij Kishor Mishra

For the Opposite Party/s : Mr.Narsingh Tanti

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 19-09-2022 Heard learned counsel for the petitioners and

learned APP for the State.

The petitioners are apprehending their arrest in

a case registered for the offences punishable under

Sections 366(A)/34 of the Indian Penal Code and

Sections 8, 12 of the Protection of Children From Sexual

Offences Act.

It is alleged by the informant that all the F.I.R

named accused persons including the petitioners have

kidnapped the minor daughter of the informant.

Subsequently, the victim has been recovered and she



has recorded her statement under Section 164 Cr.P.C and stated that co-accused Alfaaz committed rape upon her and other accused persons including the petitioners have helped him in the commission of kidnapping and her rape.

Learned counsel for the petitioners seeks permission to withdraw the petition with regard to petitioner No. 1 namely Azim Ansari.

Permission is accorded.

Accordingly, the petition with respect to petitioner No. 1 is dismissed as withdrawn.

It is submitted by learned counsel for the petitioner No. 2 that she has falsely been implicated in this case. The thrust of accusation is against co-accused Md. Alfaaz. The doctor has found the age of the victim between 17-19 years and he did not find any sign of recent sexual assault. The victim and Alfaaz were in love with each other and the victim of her own left the house for solemnizing marriage. The petitioner No. 2 has been



roped in the present case since she is mother of co-accused Alfaaz. A statement has been made in para 3 of the petition that petitioner No. 2 has no criminal antecedent.

In the facts and circumstance of the case, let the petitioner No. 2, above named, in the event of her arrest or surrender before the Court below within a period of four weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousands) with two sureties of the like amount each to the satisfaction of learned Additional District & Sessions Judge-VII-cum-Special Judge, POCSO, Bettiah, West Champaran in connection with Shikarpur P.S. Case No. 398 of 2021, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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