

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17460 of 2022

Arising Out of PS. Case No.-23 Year-2021 Thana- GAUNAHA District- West Champaran

1. MUNNA MIAN Son of Farooque Mian Resident of village - Rampurwa, P.S.- Gaunaha, District - West Champaran.
2. Farooque Mian Son of Late Mirhassan Mian Resident of village - Rampurwa, P.S.- Gaunaha, District - West Champaran.
3. Mojammil Mian Son of Farooque Mian Resident of village - Rampurwa, P.S.- Gaunaha, District - West Champaran.
4. Akbar Mian Son of Farooque Mian Resident of village - Rampurwa, P.S.- Gaunaha, District - West Champaran.
5. Mansoor Mian Son of Late Jumrati Mian Resident of village - Rampurwa, P.S.- Gaunaha, District - West Champaran.
6. Nehal Khan Son of Nayeem Khan Resident of village - Rampurwa, P.S.- Gaunaha, District - West Champaran.
7. Kuraisha Khatoon Wife of Farooque Mian Resident of village - Rampurwa, P.S.- Gaunaha, District - West Champaran.
8. Jahana Khatoon Wife of Mojammil Mian Resident of village - Rampurwa, P.S.- Gaunaha, District - West Champaran.
9. Noorjant Khatoon Wife of Akbar Mian Resident of village - Rampurwa, P.S.- Gaunaha, District - West Champaran.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma, Advocate
For the Opposite Party/s : Mr. Shyameshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 13-05-2022 Heard learned counsel for the petitioners and the State through virtual mode.

Learned counsel for the petitioners is directed to remove the defect(s), as pointed out by the office, within a period of four weeks.



The petitioners are apprehending their arrest in Gaunaha P.S. Case No. 23 of 2021 registered under Section 366-A of the Indian Penal Code and Section-8 of the POCSO Act.

Allegation against the petitioners is of kidnapping of the informant's sister.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. The petitioners have been made accused in the present case due to mistake of fact. The victim has been recovered and her statement u/S 164 Cr.P.C. has been recorded in which, she admitted that she had left the house out of her own sweet will and she went to house of Bua. She has not supported the allegation of her abduction.

On behalf of the State, it is submitted that the petitioners are named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances of the case, the petitioners, above named, in the event of arrest or surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount to the satisfaction of learned



Additional District & Sessions Judge-VII-cum-Special Judge,
POCSO Act, Bettiah, West Champaran in connection with
Gaunaha P.S. Case No. 23 of 2021 subject to the conditions as
laid down under Section 438(2) of the Code of Criminal
Procedure.

(Sudhir Singh, J)

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