

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57177 of 2021

Arising Out of PS. Case No.-228 Year-2020 Thana- LAURIA District- West Champaran

1. Manjur Ansari S/O Late Gauhar Miyan @ Gauhar Ansari R/O Village - Sisai, P.S. - Lauriya, District - West Champaran.
2. Mehru Nesha @ Mehrun Nesha W/O Manjur Ansari R/O Village - Sisai, P.S. - Lauriya, District - West Champaran.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey

For the Opposite Party/s : Mr. Zainul Abedin

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 07-07-2022 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners seek bail in anticipation of their arrest in a case registered for the offences punishable under Sections 363, 366A, 379, 504/ 34 of the Indian Penal Code and Section 8 of the POCSO Act.

The learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and the victim has not supported the prosecution case in her statement under Section 164 of the Cr.P.C. In pursuance whereof, the police submitted final form after investigation, but the learned Court below differing with the police report has taken cognizance



under Sections 363, 366A of the I.P.C. and Section 8 of the POCSO Act. More so, when in the medical examination, the age of the victim was assessed as 17-19 years. It is also submitted that the law is well settled that the benefit of age should have come to the accused persons.

Learned A.P.P. opposes the bail application.

Considering the submissions made by the learned counsel for the petitioners, the petitioners, above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks, are directed to be released on bail on their furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending in connection with Lauriya P. S. Case No.228 of 2020, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

The application stands allowed.

(Satyavrat Verma, J)

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