

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62752 of 2021

Arising Out of PS. Case No.-81 Year-2021 Thana- TURKAULIYA District- East Champaran

1. NOOR MOHAMMAD MIAN Son of Late Rajddin Main @ Rojddin Mian Resident of Village- Parshurampur, P.S.- Turkaulia, District- East Champaran.
2. Jauwad @ Javed Mian S/o Noor Mohammad Mian Resident of Village- Parshurampur, P.S.- Turkaulia, District- East Champaran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Virendra Kuar
For the Opposite Party/s : Mr.Ashok Kumar Singh

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 06-04-2022 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

This application for regular bail arises out of Trukauliya P.S. Case No. 81 of 2021, disclosing offence punishable under Sections 363. 366-A/34 of the Indian Penal Code and Section 8 of the POCSO Act.

According to the FIR registered on 31.01.2021, the informant's minor daughter was kidnapped by the accused persons including these petitioners for the purpose of marriage. It can be deciphered from the FIR that allegedly co-accused Meraj Alam wanted to solemnize marriage with the victim girl. Petitioner No. 1 is father of Meraj Alam, whereas



petitioner No. 2 is the brother. This Court's attention has been drawn to the order passed by learned 6th Additional Sessions Judge-cum-Special Judge (POCSO), Motihari, East Champaran, whereby the application filed by these petitioners for grant of regular bail has been rejected, to contend that the victim was recovered after lodging of the FIR and was handed over to her father on 17.02.2021. Subsequently, it is alleged that the victim was again taken away on 19.02.2021 by the said accused Meraj Alam and other unknown persons.

Learned counsel for the petitioners has submitted that the implication of these petitioners is only because of their relationship with the main accused Meraj Alam. The petitioners are in custody since 01.03.2021.

Considering the period of custody and the nature of accusation emerging from the FIR against these petitioners, in my opinion, a case for grant of regular bail is made out. This application is allowed.

Let the petitioners, above-named, 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 6th Additional Sessions Judge-cum-Special Judge POCSO, Motihari, East Champaran, in



Turkauliya P.S. Case No. 81 of 2021.

(Chakradhari Sharan Singh, J)

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