

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66916 of 2021

Arising Out of PS. Case No.-267 Year-2021 Thana- BARAUNI District- Begusarai

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1. MD. ALI HUSSAIN Son of Late Rahim Mian R/O Village - Malhipur, P.S. - Barauni (Chakia O.P.), District - Begusarai
 2. Shabrun Khatoon Wife of Md. Ali Hussain R/O Village - Malhipur, P.S. - Barauni (Chakia O.P.), District - Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Yogesh Kumar, Advocate
For the Opposite Party/s : Mr. Dr. Ajeet Kumar, A.P.P

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 20-07-2022 Heard learned counsel for the petitioners and learned A.P.P. for the State.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 366A and 34 of the Indian Penal Code.

Learned counsel for the petitioners submits that police after investigation submitted charge-sheet against other co-accused under Section 366A/34 of the Indian Penal Code read with Sections 3 and 4 of the POCSO Act and the investigation against the petitioner is still going on. Learned counsel further submits that petitioners are persons with clean antecedent and are father and mother of Md. Arshad with whom the victim was in love and had eloped with him. It is next submitted that the



victim returned and her statement under Section 164 Cr.P.C. was recorded and from perusal of the same, it would manifest that she has not even remotely suggested that petitioners were also involved in her kidnapping, rather she has stated that the petitioners at the time of her kidnapping had taunted.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

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 from today, be released on anticipatory bail on furnishing bail bonds of Rs.2,000/- (Rupees Two Thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Barauni P.S. Case No. 267 of 2021, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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