

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5098 of 2023

Arising Out of PS. Case No.-66 Year-2022 Thana- RAMNAGAR District- West Champaran

1. ASMA KHATUN Wife of Mohmaddin Miyan @ Shahabuddin Miyan
Resident of Village- Manguraha, P.S.- Ramnagar, District- West Champaran
2. MOHAMADDIN MIYAN @ SHAHABUDDIN MIYAN Son of Late
Eshahaque Miyan Resident of Village- Manguraha, P.S.- Ramnagar, District-
West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sachida Nand Rai
For the Opposite Party/s : Mr.Vinod Shanker Modi

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 10-02-2023 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners are apprehending their arrest in a case registered for the offence punishable under Sections 363, 366(A) and 34 of the Indian Penal Code and Section 8 of the Protection of Children From Sexual Offences Act pending in the learned court below.

As per the prosecution case, petitioners along with other co-accused persons are said to have abducted the girl of the informant by enticing her.

Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this



case. He further submits that the police has filed form form against the petitioner but the learned Court below differed the final form and taken cognizance against the petitioner. He submits that the statement of the victim was recorded under Section 164 Cr. P.C. in which she has not supported the prosecution case. He further submits that petitioners have got no criminal antecedent as stated in para-3 of the bail application.

Learned APP for the State opposes for prayer for bail.

Considering the aforesaid facts and circumstances and the fact that the victim has not supported the prosecution case, let the petitioners, named above, in the event of their arrest/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.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount to the satisfaction of the learned Court below, where the case is pending/Successor court, in connection with Ramnagar P.S. Case No.66/2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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