

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12611 of 2023

Arising Out of PS. Case No.-54 Year-2019 Thana- DARPA District- East Champaran

AFSANA KHATOON Wife of Asgar Ali @ Ali Asgar Residetn of village -
Pipra, P.S.- Darpa, District - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 12968 of 2023

Arising Out of PS. Case No.-54 Year-2019 Thana- DARPA District- East Champaran

ASGAR ALI @ ALI ASGAR Son of Jokhu Mian @ Ahamad Rahman
Resident of Village- Pipra, P.S.- Darpa, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 12611 of 2023)

For the Petitioner/s : Mr.Ujjwal Kumar Singh, Adv.

For the Opposite Party/s : Mr.Brajendra Nath Pandey, APP

(In CRIMINAL MISCELLANEOUS No. 12968 of 2023)

For the Petitioner/s : Mr.Ujjwal Kumar Singh, Adv.

For the Opposite Party/s : Mr.Ajit Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 19-05-2023 Both these cases arises out of the same Police Station

Case Number, as such both are being taken up together and

being disposed of by this common order.

Heard learned counsel for the petitioners and learned

APPs for the State.

The petitioners apprehend their arrest in a case registered



for the offence punishable u/s 376, 420 of the IPC, 66, 66A, 66E, 67A, 67B of the Information Technology Act and section 4 of the POCSO Act.

Allegedly, one Wasim Ahmad committed rape upon the daughter of the informant and in panchayati, it was decided that he would perform marriage with the victim but he uploaded obscene photo of the victim with him on social media. Thereafter, he performed marriage with another girl.

It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case due to ulterior motive. It is submitted that police after investigation, filed final form against the petitioners but later on the learned Court below differing with the same, took cognizance against the petitioners. Petitioners have no criminal antecedent.

Learned APP for the State opposed the prayer for bail.

Having regard to the facts and circumstances of the case, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five 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 Darpa P.S. Case No.54 of 2019, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

Both these applications stand allowed.

(Anjani Kumar Sharan, J)

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