

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23387 of 2023

Arising Out of PS. Case No.-55 Year-2022 Thana- MADHWAPUR District- Madhubani

1. MD SITARUL SON OF YUNUS @ MD YUNUS RESIDENT OF VILLAGE- RAMPUR BIRIT, PS- MADHWAPUR, DISTT- MADHUBANI
2. MD. FIROJ SON OF MD. YUNUS @ RUFUL RESIDENT OF VILLAGE- RAMPUR BIRIT, PS- MADHWAPUR, DISTT- MADHUBANI

... .. Petitioner/s

Versus

1. The State of Bihar
2. SAKILA KHATOON WIFE OF MD SABIR RESIDENT OF VILLAGE- RAMPUR BIRIT, PS- MADHWAPUR, DIST- MADHUBANI

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Jha, Advocate
For the Opposite Party/s : Mr. Ram Sumiran Rai, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 14-07-2023 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 448, 341, 323, 354, 363, 365, 366(A), 376, 504, 506 and 34 of the Indian Penal Code and under Section 4/6 of the POCSO Act.

3. Learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and the informant alleges that Md. Amir molested her daughter in the house and on alarm he fled, thereafter his family members came and attacked her husband and family members.



4. Learned counsel for the petitioners submits that the petitioners have been falsely implicated in the present case being father and uncle of Md. Amir, it is next submitted that from perusal of the allegation as alleged in the F.I.R., it would manifest that specific allegation of molesting is against Md. Amir.

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

6. 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 trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Madhwapur P.S. Case No. 55 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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