

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22786 of 2023

Arising Out of PS. Case No.-209 Year-2022 Thana- JOKIHAT District- Araria

1. MD. IMTIYAZ @ MD. IMTIYAZ ALAM SON OF MD. TAIYAB HUSSAIN @ SHEIKH TAIYAB Resident of Village- Bhebhra, Ward no. 11, P.S.- Mahalgaon, District- Araria
2. NOMAN @ MD. NOMAN SON OF MD. TAIYAB HUSSAIN @ SHEIKH TAIYAB Resident of Village- Bhebhra, Ward no. 11, P.S.- Mahalgaon, District- Araria

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nafisuzzoha
For the Opposite Party/s : Mr.Rajendra Singh

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 17-05-2023 Heard the learned counsel for the petitioners and

learned APP for the State.

Let the defect(s), if any, be removed within a
period of four weeks from today.

The petitioners seek bail in connection with Jokihat
(Mahalgaon) P.S. Case No. 209 of 2022 registered for the
offence under Sections 341, 323, 354B, 504, 506/34 of the
Indian Penal Code.

As per prosecution case, Informant Kahkasha
stated on 18.04.2022 her daughter Asmati went to the shop at
about 4.30PM and she did not return to 2 to 3 hours then the
informant started searching for her daughter meanwhile she



heard the shouting of her daughter and she reached at the house of Md. Imtiyaz and found that one room is closed and the informant found that her daughter's clothes were torn and her daughter was half naked. Her villagers namely Md. Imtiyaz and Noman were trying to commit wrong with her and on halla nearby people reached there and anyhow they saved her but the accused persons threatened for dire-consequences.

Learned counsel for the petitioners submits that the petitioner is in custody since 21.02.2023.

Learned A.P.P. has vehemently opposed the prayer for bail.

Considering the fact that the petitioners are the close relative, this application for regular bail is allowed.

Let the petitioners, above named, be released on bail **after framing of charge** and on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-VI-cum-Special Judge(POCSO) Araria in connection with Jokihat (Mahalgaon) P.S. Case No. 209 of 2022.

(Sandeep Kumar, J)

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