

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45818 of 2023

Arising Out of PS. Case No.-172 Year-2023 Thana- BARUN District- Aurangabad

1. MOSRAT PRAVEEN Wife of Md. Israil Hussain Resident of village-Jogiya, Police Station-Barun, District-Aurangabad (Bihar)
2. NAZIYA PRAVEEN Daughter of Md. Israil Hussain Resident of village-Jogiya, Police Station-Barun, District-Aurangabad (Bihar)
3. MD. ISRAIL HUSSAIN Son of Md. Liyakat Hussain Resident of village-Jogiya, Police Station-Barun, District-Aurangabad (Bihar)

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Kamlendra Pd. Singh, Adv.
For the Opposite Party/s :	Mr.Uma Shankar Prasad Singh, APP.
	Mr. Rahul Kumar Singh, Adv.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 30-10-2023 Heard learned counsels for the parties.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 366A of the Indian Penal Code and Section 8/12 of the POCSO Act.

3. The allegation against the petitioners is that they along with other co-accused persons kidnapped the informant's minor daughter.

4. It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. No such occurrence as alleged ever took place. Petitioners have been falsely implicated in this case due to ulterior motive. The allegation levelled against the petitioners is totally false and based on concocted facts. The real fact is



that the informant's daughter left her house with her own will. They have been made accused in the present case merely because they are mother, sister and father of co-accused Danish Ansari, respectively. There is no specific overt act against them. Co-accused Danish Ansari is already in judicial custody. Petitioners have no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State as well as learned counsel for the informant opposed the prayer for bail.

6. Having regard to the facts and circumstances of the case, as there is no specific overt act against the petitioners, 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 lower Court where the case is pending/successor Court in connection with Barun P.S. Case No. 172 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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