

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47982 of 2023

Arising Out of PS. Case No.-62 Year-2022 Thana- MAHILA P.S. District- Araria

1. MD. JAFAR Son of Late Md Mobin @ Late Molvi Mobin Resident of village - Bokra ward no. 8, P.S. - Simraha, Distt. - Araria
2. Tanweer Azad Son of Md Wahid Resident of village - Doria Sonapur, P.S. - Simraha, Distt. - Araria
3. Ala Makhtoor Son of Late Nazamuddin Resident of village - Doria Sonapur, P.S. - Simraha, Distt. - Araria

... .. Petitioners

Versus

The State of Bihar

... Opposite Party

Appearance :

For the Petitioner/s : Mr.Md. Imtiyaz Hussain, Advocate

For the Opposite Party/s : Mr.Anant Kumar 1, Addl Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 18-09-2023 Heard learned counsel for the petitioners and the State.

2. Petitioners apprehend arrest in a case registered for the offence punishable under sections 376D, 372, 504,506/34 and other ancillary sections of the Indian Penal Code and sections 4 and 6 of the POCSO Act.

3. It is submitted on behalf of the petitioners that there is no allegation of sexual assault against these petitioners. They are only alleged to be present in panchayati and they realized Rs. 2.50 lacs from the accused persons as fine but did not hand over the same to the victim. Moreover girl in her 164 Cr.P.C. statement has not made any allegation of sexual assault against these petitioners.



4. Considering the aforesaid facts of the case, prayer for bail of all the petitioners is allowed. In the event of arrest/surrender within six weeks from today, let these petitioners, mentioned above, be enlarged on bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the Additional Sessions Judge VI cum Special Judge, POCSO Act, Araria in Mahila (Araria) Police Station Case No. 62/2022, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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