

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51873 of 2022

Arising Out of PS. Case No.-146 Year-2022 Thana- RAMGARHWA District- East
Champran

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1. Rehan Khatoon, W/O Sekh Javed @ Javd Aadaw Resident Of Village-
Belalshpur, P.S.- Ramgardhwa, District- East Chamapran, Motihari
 2. Javed Aalam @ Shekh Javed, S/O Shekh Malmahamd Resident Of Village-
Belalshpur, P.S.- Ramgardhwa, District- East Chamapran, Motihari
 3. Shekh Jishan, S/O Shekh Jawed @ Javed Alam Resident Of Village-
Belalshpur, P.S.- Ramgardhwa, District- East Chamapran, Motihari

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Rajesh Kumar- Advocate
For the State	:	Mr.Chandra Bhushan Prasad- A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

5 22-06-2023 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners seek bail in anticipation of their arrest
in a case registered for the offences punishable under Section
366A/ 34 of the Indian Penal Code, Section 8 of the POCSO Act
and Section 3(1)(w)(i) of the SC/ST (POA) Act.

The learned counsel for the petitioners submits that
the petitioners are persons with clean antecedents and have been
implicated in the present case merely for the reason that
petitioner no.1 is mother, petitioner no.2 is father and petitioner
no.3 is brother of Shiekh Ahshan against whom, it is alleged that



he kidnapped the minor daughter of the informant.

The learned counsel for the petitioners submits that the F.I.R. has been instituted after a delay of 22 days on 08.05.2022, when the date of occurrence is 17.04.2022. It is next submitted that petitioner will not abscond rather will cooperate in the investigation and will present themselves as and when required by the Investigating Officer for eliciting the truth.

Learned A.P.P. opposes the bail application.

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 Court below within a period of six weeks, are directed to be released on bail on their furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned 7th Additional District and Sessions Judge-cum-Special Judge, POCSO Act, East Champaran, Motihari in connection with Ramgardhwa P. S. Case No.146 of 2022, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

The application stands allowed.

However, in the event, if any application is filed by



the Investigating Officer bringing to the notice of the learned trial Court that petitioners, despite giving assurance to this Court that they will cooperate in the investigation, are not cooperating or is not presenting themselves before the Investigating Officer, then in that event, the learned trial Court shall be at liberty to cancel the bail bonds of the petitioners after recording reasons.

Let a copy of this order be sent to the concerned Police Station through the learned trial Court.

(Satyavrat Verma, J)

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