

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61181 of 2022

Arising Out of PS. Case No.-307 Year-2021 Thana- BAJPATTI District- Sitamarhi

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1. Jarina Khatoon W/O Md. Zeyaul Haque @ Jiyabul Haque R/O Village- Narharpur Ward No. 05, P.S.- Bajpatti Distt- Sitamarhi.
 2. Jiyabul Haque @ Md. Zeyaul Haque S/O Md. Sagir R/O Village- Narharpur Ward No. 05, P.S.- Bajpatti Distt- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Uday Kumar, Advocate
For the Opposite Party/s : Ms. Anita Kumari, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 29-04-2023 Heard Mr. Uday Kumar, learned counsel appearing on behalf of the petitioner and Ms. Anita Kumari, learned APP appearing on behalf of the State.

2. The petitioners apprehend their arrest in connection with Bajpatti P.S. Case No. 307 of 2021 registered under Sections 363, 366A, 354, 341, 323, 34 of the Indian Penal Code and Section 8 of the POCSO Act.

3. The prosecution story, in brief, is that the accused person namely, Md. Danish kidnapped the victim girl, who is minor.

4. Learned senior counsel appearing on behalf of the petitioners submit petitioner no. 1 and 2 are mother and father of the co-accused Md. Danish, who kidnapped the victim girl.



Learned counsel further submits that petitioners have no role in the alleged commission of offence and no specific allegation has been made against the petitioners. Learned counsel further submits that the petitioners have clean antecedent.

5. Learned APP appearing on behalf of the State vehemently opposed the prayer for grant of bail to the petitioners.

6. Taking into consideration, the nature of allegation made in the F.I.R. which is against one co-accused Md. Danish and no specific allegation has been made against the petitioners, I am of the opinion that the petitioners have made out a case to be released on anticipatory bail.

7. The Court below is directed to release the petitioners on anticipatory bail, in the event of their arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each, to the satisfaction of learned Additional District & Session Judge-VI-cum-Special Judge, POCSO, Sitamarhi in connection with Bajpatti P.S. Case No. 307 of 2021, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

8. This Court do not finds that notices should be



issued to the Opposite Party No. 2.

9. The present bail application is disposed of.

(Purnendu Singh, J)

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