

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63476 of 2022

Arising Out of PS. Case No.-130 Year-2022 Thana- JAGDISHPUR District- Bhagalpur

1. MD. ISMAIL @ ISMAIL @ ISMAILE @ MD. ISMAILE SON OF SAKUR R/O VILLAGE- DOGACHI, P.S.- JAGDISPUR (BIPASS O.P.), DISTRICT- BHAGALPUR
2. RAHMAT @ MOHAMAD RAHMATTULLAH @ RAHMAUT SON OF MOHAMMAD HADAYAT R/O VILLAGE- DOGACHI, P.S.- JAGDISPUR (BIPASS O.P.), DISTRICT- BHAGALPUR
3. SAKIN SON OF ISMAIL MANSURI R/O VILLAGE- DOGACHI, P.S.- JAGDISPUR (BIPASS O.P.), DISTRICT- BHAGALPUR
4. JIYA @ JIYAUDDIN SON OF IDRISH MANSURI R/O VILLAGE AND P.S.- BIHPUR, DISTRICT- BHAGALPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pankaj Kumar

For the Opposite Party/s : Mr. Kumar Veerendra Narayan

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 27-03-2023 Heard the parties.

The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 366(A)/34 of the Indian Penal Code and section 8 of POCSO Act.

The allegation against the petitioners is that they are involved in the kidnapping of the minor daughter of the informant.

It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case. No such



occurrence, in the manner as alleged, has ever taken place. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. There is no specific overt act against the petitioners. The specific allegation is against co-accused Rustam. Petitioners have no criminal antecedent.

Learned APP for the State opposed the prayer for anticipatory bail.

Having regard to the facts and circumstances of the case, 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 court below where the case is pending/Successor Court in connection with Jagdishpur (Bypass O.P.) P.S. Case No.130 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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