

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30442 of 2024

Arising Out of PS. Case No.-344 Year-2023 Thana- GORAUL District- Vaishali

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1. Md. Wokil @ Md.Wakil S/o Fekan Mian R/o vill - Sondho Dih, P.S. - Goraul, Distt.- Vaishali
 2. Rashida Khatoon W/o Md. Wakil R/o vill - Sondho Dih, P.S. - Goraul, Distt.- Vaishali

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Tiwary

For the Opposite Party/s : Mr.Syed Mojibur Rahman

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 21-09-2024 1. Heard the parties.

2. The petitioners apprehend their arrest in connection with Goraul P.S. Case No. 344 of 2023 dated 12.08.2023 registered under Sections 342, 323, 506, 366(A), 376, 511 of the I.P.C. and Section 8 & 10 of the POCSO Act.

3. As per the complaint -cum- First Information Report the minor daughter of the complainant / informant, aged about 13 years, was being stalked and followed by the co-accused Md. Imtiyaz and Mr. Rustam, upon which, the complainant made a complaint to the petitioners, who are the parents of the co-accused Md. Imtiyaz. The petitioners assured the complainant that harassment to the informant's daughter would



not take place in future. It has further been alleged that Md. Imtiyaz and Md. Rustam sexually assaulted the informant's daughter and the victim was rescued from the tyre shop of the co-accused Md. Rustam. The complainant further alleged that when the complainant / informant went to make a complaint before the petitioners, they said that the matter will be settled in "panchayat" and when the matter was brought to the "panchayat" the petitioners refused to settle the matter.

4. Learned counsel for the petitioners submits that petitioners are the parents of the co-accused Md. Imtiyaz, who was having love relationship with the victim girl. The allegation of sexual assault is not upon the petitioners and they have been made accused merely on the basis of their being the parents of the co-accused. He further submits that the co-accused Md. Rustam has been granted anticipatory bail by a co-ordinate Bench of this court in Cr. Misc. No. 32645 of 2024.

5. Regard being had to the submission made by the parties, taking into consideration the nature of allegation made against the petitioners and the fact that anticipatory bail has been granted to the co-accused Md. Rustam by a co-ordinate Bench, I am inclined to grant anticipatory bail to the petitioners.

6. Let the petitioners, above named, be released on



anticipatory bail in the event of arrest or surrender before the court below within a period of four weeks from today on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of Additional District & Sessions Judge-VI-cum-Special Judge, POCSO, Hajipur, District – Vaishali in connection with Goraul P.S. Case No. 344 of 2023 subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anil Kumar Sinha, J)

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