

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32444 of 2024

Arising Out of PS. Case No.-8 Year-2024 Thana- MAHILA P.S District- Supaul

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1. Mahboob Alam @ Dr Mahboob Raza SON OF LATE SHAMSUL HODA
R/O KARGIL CHOWK, NEAR AIRPORT, BIRPUR, WARD NO.12,P.S.-
BIRPUR,DIST- SUPAUL
 2. ASMA MEHAR BANO WIFE OF MAHBOOB ALAM @ MAHBOOB
RAZA R/O KARGIL CHOWK, NEAR AIRPORT, BIRPUR, WARD
NO.12,P.S.- BIRPUR,DIST- SUPAUL

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. N. K. Agrawal, Sr. Adv. Mr. Arvind Kumar Mr. Kumar Rajdeep
For the State	:	Mr. Akshay Lal Pandit

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA

ORAL ORDER

- 3 22-10-2024 1. Heard learned Counsel for the petitioners and learned
Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out
of Mahila Police Station Case No. 08 of 2024, dated
10.02.2024, disclosing offences under Sections 376/120-
B of the Indian Penal Code and Sections 4/6/17 of the
POCSO Act.
3. The prosecution case, as per the First Information Report,
is that on 08.02.2024, the Project Co-ordinator, Child
Help Line, Supaul, has been informed by the Manager,



Lalit Narayan Sub-Divisional Hospital, Birpur, that a 14 years old girl child has arrived in the hospital after leaving her house and was weeping while sitting on the ground in the campus of the hospital. Thereafter, the Child Help Line team reached at the hospital campus and enquired from the minor girl about the problem. Upon which, the victim girl stated that she was repeatedly being sexually exploited by her own father and she also stated that her mother was also assisting her father in her sexual exploitation.

4. Learned senior counsel for the petitioners submits that the petitioner no. 1 is the father and petitioner no. 2 is the mother of the victim girl. He next submits that the allegation against the petitioners are baseless and unfounded and they have falsely been implicated in this case by Noor Alam, Anwar, Md. Rashid and Md. Sameer @ Ataur Rehman, who abducted the daughter of the informant, for which, the petitioners has lodged complaint before the Birpur Police Station, as would be evident from the Annexure-2 of this application. Learned senior counsel next submits that this fact can be verified from the CCTV footage of the police station. He further



submits that the victim girl was brought from the remand home for examination by the doctor and for recording her statement under Section 164 of the Code of Criminal Procedure. Referring to the statement under Section 164 of the Code of Criminal Procedure, learned counsel submits that the victim girl has stated that she had left her home as she was being scolded by her parents and she has further stated that her father has not done anything objectionable against her and that she has leveled a false allegation against her parents.

5. Having regard to the submissions made on behalf of the parties and taking into consideration the statement of the victim girl recorded under Section 164 of the Code of Criminal Procedure, I am inclined to grant the petitioners privilege of anticipatory bail.
6. This application is, accordingly, allowed.
7. Let the petitioners, above named, in the event of their arrest or surrender before the Court below within four weeks, be released 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 learned ADJ-VI-cum-Special Judge-POCSO, Court, Supaul, in connection



with Mahila Police Station Case No. 08 of 2024, subject
to the condition laid down under Section 438 (2) of the
Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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