

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55576 of 2024

Arising Out of PS. Case No.-38 Year-2024 Thana- ALINAGAR District- Darbhanga

1. Tamizuddin S/o- Late Abdul Hasan Village- Dhamsain Ps- Alinagar Dist- Darbhanga
2. Abdul Kalam @ Md. Abul Kalam son of Late Abdul Aziz Village- Dhamsain Ps- Alinagar Dist- Darbhanga
3. Abdul Salam @ Abdus Salam son of Late Abdul Aziz Village- Dhamsain Ps- Alinagar Dist- Darbhanga
4. Md. Imran @ Imran son of Late Abdul Aziz Village- Dhamsain Ps- Alinagar Dist- Darbhanga
5. Md. Chand @ Md. Masleuddin son of Abdul Kalam Village- Dhamsain Ps- Alinagar Dist- Darbhanga
6. Pravej @ Md. Md. Pravej son of Tamizuddin Village- Dhamsain Ps- Alinagar Dist- Darbhanga
7. Jawed @ Md. Jawed son of Tamizuddin Village- Dhamsain Ps- Alinagar Dist- Darbhanga

... .. Petitioner/s

Versus

1. The State of Bihar
2. MD. RAFIK SON OF MD. JAINUL HAQUE RESIDENT OF VILLAGE- DHAMSAIN, P.S.- ALINAGAR, DIST- DARBHANGA

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nilendu Kumar Choudhary, Advocate.
For the Opposite Party/s : Mr.Jharkhandi Upadhyay, APP.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

3 26-10-2024 Heard Mr. Nilendu Kumar Choudhary, learned counsel appearing on behalf of the petitioners and Mr. Jharkhandi Upadhyay, learned APP for the State.

2. The petitioners seek pre-arrest bail in connection with Alinagar P.S. Case No. 38 of 2024 registered for the offence punishable under Sections 341, 323, 325, 307, 377 and



504/34 of the Indian Penal Code.

3. As per the allegation made in the F.I.R., the grand son of the petitioner is said to have committed sexual wrong with the minor son of the informant.

4. Learned counsel appearing on behalf of the petitioners submitted that the specific allegation of committing sexual wrong with the minor son of the informant is against co-accused Obi @ Bauka who is the grand son of the petitioner no.1 and no allegation against the petitioners is made out being maternal grand father and other family members. The petitioners have clean antecedent.

5. Learned APP for the State has vehemently opposed the prayer for grant of pre-arrest bail to the petitioners.

6. Considering the nature of allegation made against the petitioners to be general and omnibus and specific allegation is against co-accused Obi @ Bauka, the petitioners, above named, are directed to be released on pre-arrest bail, in the event of their arrest or surrender before the Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge, POCSO, Darbhanga in connection with Alinagar P.S.



Case No. 38 of 2024, subject to the condition as laid down
under Section 438(2) of the Cr.P.C.

7. The bail application stands disposed of.

(Purnendu Singh, J)

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