

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.62496 of 2024**

Arising Out of PS. Case No.-686 Year-2023 Thana- DHAKA District- East Champaran

1. NAJBOON NISHA @ NAJMUN NESHA @ NAJBOON NESHA Wife of Jobad Miya @ Jaubad Kawari Resident of Village - Rupauliya Gopi, P.S.- Dhaka, District - East Champaran.
2. Jaubad Miya @ Jaubad Miya @ Jaubad Kawari @ Jauwad Kabadi Son of Farajan Miyan @ Farjan Kawari Resident of Village - Rupauliya Gopi, P.S.- Dhaka, District - East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Nand Kishor Chaudhary Son of Late Harihar Chaudhary R/v - Rupauliya Gopi, P.S.- Dhaka, Dist.- East Champaran

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Rahul Singh  
For the Opposite Party/s : Mr.Manoj Kumar

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR  
PANDEY**

ORAL ORDER

2      09-12-2024                      Heard learned counsel for the petitioners as well as  
the learned APP for the State.

2. The petitioners apprehend their arrest in connection with Dhaka (Pachpakari) P.S. Case No. 686 of 2023, registered for the offences punishable under Sections 363, 366(A), 341, 323, 379, 504, 506, 34 of the Indian Penal Code and section 8 of the POCSO Act.

3. As per allegation, on 18.12.2023, the informant's minor daughter had gone to her neighbourhood on the occasion



of Haldi but she didn't return.

4. The learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been implicated in this case. The alleged victim has solemnized marriage with co-accused Jaibullah Kawari and a marriage certificate has been issued. He has submitted further that the petitioners are family members of co-accused Jaibullah Kawari due to which they have falsely been implicated. He has also submitted that on exactly similar footing, co-accused Badari Kabari and Aliyas Kabari has been granted regular bail by this Court vide order dated 01.07.2024 in Cr. Misc. No. 20801 of 2024.

5. The petitioners are family members of main accused Jaibullah Kawari against whom there is allegation to solemnize marriage with minor daughter of the informant.

6. Considering the above-mentioned facts and circumstances as well as clean antecedent, let the petitioners, in the event of their arrest or surrender within four weeks before the learned court below, 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 6<sup>th</sup> Additional Sessions Judge-cum-Special Judge, POCSO, Motihari, East



Champaran in connection with Dhaka (Pachpakari) P.S. Case  
No. 686 of 2023, subject to the conditions as laid down under  
Section 438(2) Cr.P.C.

(Nawneet Kumar Pandey, J)

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