

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4718 of 2025

Arising Out of PS. Case No.-91 Year-2024 Thana- KUNDWACHAINPUR District- East
Champaran

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1. Natic Anjum @ Md. Natique Anjum Son of Late Abdul Jabbar Resident of Village- Sisahni, P.O- Barharwa Fateh Mohammad, P.S- Kundwa Chainpur, District- East Champaran
 2. Rumana Khatoon Wife of Late Abdul Jabbar Resident of Village- Sisahni, P.O- Barharwa Fateh Mohammad, P.S- Kundwa Chainpur, District- East Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Zaffi Akhtar Shah Son of Late Mahmood Shah Resident of Village- Sisahni, P.O- Barharwa Fateh Mohammad, P.S- Kundwa Chainpur, District- East Champaran

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Y.C. Verma, Sr. Advocate Mr.Zaki Haider, Advocate
For the Opposite Party/s	:	Mr.Syed Mojibur Rahman, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

6 14-08-2025 Heard Mr. Y.C. Verma, learned Senior Advocate

appearing on behalf of petitioners and learned APP for the State.

No one appears on behalf of opposite party no.2 despite valid
service of notice.

2. The petitioners apprehend their arrest in connection
with Chainpur P.S. Case no.91 of 2024 registered under Sections
363, 366A and 34 of the Indian Penal Code and Section 8 of the
POCSO Act.

3. The allegation in the F.I.R is that daughter of the



informant was allured by accused Shahid Anjum and was subjected to sexual exploitation.

4. Learned Senior counsel for the petitioners submits that the petitioners have been falsely implicated in the case and as a matter of fact the victim left her house out of her own will without any threat or coercion. The statement of the victim was recorded under Section 164 Cr.P.C, especially indicates allegation against co-accused Shahid Anjum. The reason of their false implication in this case only on account of the fact that the petitioners happen to be the younger brother and mother of co-accused Shahid Anjum. Further, medical examination of the victim girl also does not show any evidence of rape or any external injury and her age is assessed between 16-18 years. Learned Senior counsel for the petitioners further submits that Final Form has been submitted in the case against all accused persons barring accused Shahid Anjum, however, differing with the Final Form, the learned Magistrate took cognizance against them. The petitioners undertake to co-operate in case/trial.

5. The application for anticipatory bail is opposed by learned A.P.P. for the State.

6. Considering the entire facts and circumstances of the case and also considering the fact that thrust of allegation is



against co-accused Shahid Anjum who is in custody, it is directed that the petitioners above named, who have no criminal antecedent in the event of their arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Chainpur P.S. Case no.91 of 2024 on each of them furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure/Section 482(2) of the B.N.S.S, 2023.

(Soni Shrivastava, J)

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