

IN THE HIGH COURT OF JUDICATURE AT PATNA  
Criminal Miscellaneous No.48967 of 2015

Arising Out of PS.Case No. -880 Year- 2014 Thana -SAHARSA District- SAHARSA

1. Bittu kumar  
2. Chhotu Kumar Both are sons of Manoj kumar Gupta Resident of Village  
Batraha Bhartiya Nagar , ward No. 27, Police Station Saharsa, District  
Saharsa.

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Satish Kumar Singh

For the Opposite Party/s : Mr. Abhay Kumar 1(App)

**CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR**  
**MANDAL**  
ORAL ORDER

2      04-11-2015      Heard Mr. Satish Kumar Singh for the petitioner and Mr.  
Abhay Kumar APP for the State.

The two petitioners seek anticipatory bail in Saharsa Sadar  
P.S. Case No. 880 of 2014 registered under section 366-A/34 IPC and  
section 8 of the Prevention of Children from Sexual Offences Act.

The mother of the girls who are said to be minor lodged the  
case alleging therein that on the date of occurrence the two accused  
persons namely Pawan Kumar and Kanhaiya Kumar with active  
participation of the two petitioners herein forcibly kidnapped the two  
daughters of the informant. One of the daughters namely Anchal  
Kumari was recovered and her statement under section 164 Cr.P.C. was  
recorded in which she stated that she had gone on her own volition.

The contention of the petitioners is that due to love affairs

both the girls eloped with the accused persons. The daughter of the informant Anchal Kumari in her statement made under section 164 Cr. P.C. has not alleged any sexual harassment by the accused Pawan Kumar.

Counsel for the State opposed the prayer. The informant in the FIR has specifically alleged that these two petitioners also participated in kidnapping of her two minor daughters. She further alleged that earlier to this the petitioners and other accused persons used to tease them.

Having regard to the allegation, the manner and materials reflected from the impugned order, I am not persuaded to extend the privilege of anticipatory bail to the petitioners. Their prayer is rejected.

The petitioners should surrender and pray for regular bail which will be considered and disposed of by the court below on its own merit unprejudiced by the present order.

**(Kishore Kumar Mandal, J)**

HR/-

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