

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47476 of 2018

Arising Out of PS.Case No. -213 Year- 2017 Thana -PARIHAR District- SITAMARHI

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1. Ram Biraj Singh, S/o Sri Rup Narayan Singh,
2. Sakaldeo Singh S/o Sri Ram Biraj Singh,
3. Satya Narayan Singh S/o Sri Ram Biraj Singh, All R/o Vill.- Manikpur
Mushharnia, P.S.- Parihar, District- Sitamarhi.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anuj Kumar

For the Opposite Party/s : Mr. Sri Indra Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 16-08-2018 The petitioners are apprehending their arrest in connection with Parihar P.S. Case No. 213 of 2017, registered for offences punishable under Sections 363, 366(A) and 34 of the Indian Penal Code and Section 3/4 of the POCSO Act.

Allegation against the petitioners is of kidnapping of minor daughter of the informant.

Submission of learned counsel for the petitioners is that no specific allegation has been attributed against the petitioners in the statement of victim recorded under Section 164 Cr.P.C and the girl is major, which will appear from the medical report, which is Annexure-2 and the court below has rejected the prayer of anticipatory bail of the petitioners only on the ground that the girl



is 14 years and she is minor.

Heard learned A.P.P. also.

Having heard both sides, in view of the above facts, let the petitioners above named, in the event of their arrest or surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bond of Rs. 25,000 (Rs. Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of learned Additional District Judge-I-Cum-Special Judge POCSO Act, Sitamarhi, in connection with Parihar P.S. Case No. 213 of 2017, subject to the conditions as laid down under Section 438(2) of the Cr.P.C, as well as subject to the following conditions, it is further subject to the condition that:-

- (i) One of the bailors of the petitioners shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.
- (ii) The petitioners shall cooperate in the investigation and make themselves available as and when required by the police and on the event of failure on their part to appear before the police on two consecutive dates



without showing any genuine reasons, the prosecution is free to move for cancellation of their bail bonds.

(Vinod Kumar Sinha, J)

sunil/Amjad/-

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