

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.62175 of 2017

Arising Out of PS.Case No. -334 Year- 2017 Thana -LAKHISARAI District- LAKHISARAI

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1. Pappu Mandal son of Ramji Mandal
2. Kundan Mandal son of Ramji Mandal Both residents of Village - Pachna Road, Naya Bazar, Infront of Bharat Mata, Ward No. 16, Police Station - Kabaiya, District - Lakhisarai.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rabi Bhushan

For the Opposite Party/s : Mr. Shyam Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 03-01-2018 Heard the learned counsel for the petitioners and learned counsel for the State.

The petitioners seek anticipatory bail in connection with Lakhisarai (Kabaiya) PS case no. 334 of 2017 registered for the offences punishable under Sections 366(A), 120(B) of Indian Penal Code and section 8 of POCSO Act.

The case of the prosecution, according to the informant namely Sushma Devi, is that when her daughter was going to her aunt's residence, the accused person namely Gaurav Kumar abducted her. It has been further alleged in the written complaint that entire family members of the petitioners herein are part of the conspiracy.



The learned counsel for the petitioners submits that the impugned order dated 23.11.2017 would bear out that the victim girl, in her statement under Section 164 of the Cr. P.C., had stated that while she was going to her aunt's place, on 20.08.2017 she called Gaurav on telephone, whereafter she fled away with him and got married in Vishnupad temple. It is further submitted that the victim girl in her statement under Section 164 Cr. P.C. has not made any allegation against the petitioners herein and the petitioners have also clean antecedent.

Having regard to the facts and circumstances of the case, the petitioners above named, in the event of arrest or surrender within six weeks, are directed to be released on anticipatory bail on furnishing bonds of Rs. 10,000/- (Rs. Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional District and Sessions Judge, Lakhisarai, in connection with Lakhisarai (Kabaiya) PS case no. 334 of 2017 subject to the conditions enumerated under Section 438(2) of Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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