

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.63489 of 2018

Arising Out of PS. Case No.-77 Year-2018 Thana- SUGAULI District- East Champaran

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1. Dhiraj Sahani @ Dhiraj Kumar, Son of Mathura Sahani,
 2. Tuna Sahani, Son of Jatan Sahani,
 3. Jatan Sahani, Son of Madho Sahani, All residents of Village-
Belbanwa, P.S.- Motihari Town, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma

For the Opposite Party/s : Mr. Sri Anant Kumar

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

2 12-12-2018 Heard the learned counsel for the petitioners
and the State.

The petitioners seek bail in anticipation of their arrest in connection with Sugauli P.S. Case No. 77 of 2018 dated 07.03.2018 corresponding to POCSO Case No. 18 of 2018 instituted for the offences under Sections 366(A) and 34 of the Indian Penal Code and under Section 8 of the POCSO Act.

The petitioner no. 2 is the son of petitioner no. 3 whereas petitioner no. 1 is the cousin of petitioner no. 2. The daughter of the informant was seen by somebody along with Tuna Sahni (the petitioner no. 2) at railway station. When the father of the victim girl went to the house of petitioner no. 2, no definite information was given about his whereabouts by his father (petitioner no. 3). The informant therefore suspected that his daughter



has been kidnapped by the petitioners for the purposes of her being killed or for any other unlawful purpose.

During the course of investigation, the daughter of the informant was recovered who has given her 164 statement stating that she had run away with petitioner no. 2 of her own volition because of earlier relationship with him. She has disclosed her age to be eighteen years. Finding this fact and the intention of the daughter, the informant has also filed a petition before the court below seeking settlement of the dispute with the petitioners.

Considering the aforesaid facts the petitioners are directed to be released on bail, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, on their furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned 1st Additional Sessions Judge, East Champaran at Motihari in connection with Sugauli P.S. Case No. 77 of 2018 corresponding to POCSO Case No. 18 of 2018, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Ashutosh Kumar, J)

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