

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26340 of 2018

Arising Out of PS. Case No.-8 Year-2018 Thana- BEERPUR District- Begusarai

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1. Phul Sundari Devi, W/o Lalan Singh,
 2. Lalan Singh, S/o Late Arjun Singh,
 3. Sumit Kumar @ Botala, S/o Lalan Singh, All Residents of Vill.- Ratanman, Babhangama, Ward No. 4 Middle School East , P.S.- Birpur, District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sandip Kumar Gautam, Advocate

For the Opposite Party/s : Mr. Abhay Kumar – 1, APP

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 09-05-2018 Heard learned counsel for the petitioners and the State.

The petitioners apprehend arrest in Birpur P.S. Case No. 08 of 2018 in POCSO Case No. 03 of 2018, instituted for the offence under Sections 366(A) of the IPC and Section 8,12 of the POCSO Act.

It is alleged in the written report that these petitioners along with others as named in the written report have kidnapped daughter of the informant with intention to perform marriage. The victim girl has given statement under Section 164 Cr.P.C. on her recovery, wherein, she has stated that she has voluntarily gone to the house of her *bua*. She has not leveled any specific allegation against these petitioners of kidnapping her.

In such circumstances, prayer for anticipatory bail is



allowed and it is ordered that the petitioner, named above, in the event of his arrest or surrender in the court below within six weeks from the date of receipt/production of copy of this order, shall be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with Birpur P.S. Case No. 08 of 2018 in POCSO Case No. 03 of 2018, to the satisfaction of the learned Additional Sessions Judge-1st-cum-Special Judge POCSO Act, Begusarai, subject to condition as laid down u/S 438 (2) of the Cr. P.C. with further conditions (1) (bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioners shall cooperate in the trial and shall be present on each and every dated fixed by the court and absence on two consecutive dates without proper and reasonable reason, will automatically cancel bail bonds of the petitioners and (3) if the petitioners tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioners.

(Sanjay Priya, J)

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