

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61601 of 2019

Arising Out of PS. Case No.-87 Year-2018 Thana- NADI P.S. District- Patna

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1. Kedar Sahni, aged about 50 years, Gender- Male, Son of Late Mannu Sahni
Resident of Village - Sammaspur, P.S.- Nadi, Dist.- Patna.
 2. Asha Devi aged about 45 years, Gender- Female, W/o Kedar Sahni,
Resident of Village - Sammaspur, P.S.- Nadi, Dist.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jay Ram Prasad, Adv.

For the Opposite Party/s : Mr. Md. Mushtaque Alam, APP.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 16-10-2019 Heard learned counsel for the petitioners and learned
counsel appearing on behalf of the State.

The petitioners apprehend their arrest in connection
with Spl. (POCSO) case No. 103/18 arising out of Nadi P.S.
Case No. 87 of 2018 registered under sections 376/34 of the IPC
& Section 4/6 of POCSO Act.

The prosecution story, as per the first information
report, is that the informant Rupa Kumar alleged that her
neighbour Kundan Kumar committed rape upon her and also
took her to some other place and left the informant in the house
of his aunt at Didarganj.

Learned counsel for the petitioner submits that the



petitioners have unnecessarily been dragged in this case inasmuch as from perusal of the first information report no allegation in the manner alleged has been leveled against these petitioners. Learned counsel further submits that merely because the petitioners are parents of the accused Kundan, they have been made accused in this case. Learned counsel referring to Annexure-2 of this petition submits that the statement of the victim girl was recorded under Section 164 by the learned Magistrate and from perusal of the same, it would be evident that nothing have been said against these petitioners.

Having regard to the submission made by the parties and taking into consideration the fact that there is no material to connect these petitioners with the present occurrence and the victim girl in her statement under Section 164 Cr.P.C has not stated anything against the petitioners, I am inclined to grant anticipatory bail to both the petitioners.

Accordingly, the petitioners, above named, in the event of arrest or surrender before the learned Court below within a period of four weeks from today shall be released on anticipatory bail by the Court below upon furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Sessions



Judge- 1st-cum-Special Judge C.B.I.-II, Patna in connection with
Spl. Case No. 103/18 arising out of Nadi P.S. Case No. 87/2018,
subject to the condition as laid down under Section 438(2) of
the Cr.P.C.

(Anil Kumar Sinha, J)

Anjula/-

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