

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79843 of 2019

Arising Out of PS. Case No.-32 Year-2019 Thana- SANOKHAR District- Bhagalpur

1. JITENDRA TANTI Son of Bijay Tanti Resident of Bansipur, Bela, P.S. Sanokhar, District- Bhagalpur.
2. Bikram Tanti Son of Bijay Tanti Resident of Bansipur, Bela, P.S. Sanokhar, District- Bhagalpur.
3. Anil Tanti Son of Bijay Tanti Resident of Bansipur, Bela, P.S. Sanokhar, District- Bhagalpur.
4. Usha Devi Wife of Bijay Tanti Resident of Bansipur, Bela, P.S. Sanokhar, District- Bhagalpur.

... .. Petitioners

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Pravina Kumari
For the Opposite Party/s : Mr.Vinod Shanker Modi

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 12-12-2019 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

The petitioners are seeking anticipatory bail in connection with Sanokhar P.S. Case No. 32 of 2019, G.R. No. 1035/2019 registered under Sections 366(A)/34 of the Indian Penal Code and Section 8 of POCSO Act.

Learned counsel for the petitioners submits that petitioners have falsely implicated in this case. The victim has stated before learned Magistrate Bhagalpur under Section 164 Cr.P.C. that she married to Bikash Tanti with consent of her parents and she is very happy, however petitioners have got no



criminal antecedent.

Considering the facts and circumstances of the case wherein learned counsel for the petitioners has submitted that it is a case of love affair in which the victim girl has herself accepted in her statement recorded under Section 164 Cr.P.C. that she had fled away with one Bikash Tanti out of her own love and affection towards him and had solemnized marriage with him and she was also very happy with the said marriage and no allegation at all has been made by her against these petitioners who happened to be the brothers and mother of said Bikash Tanti, let the above-named petitioners, in the event of their arrest/surrender before the court below within a period of four weeks, be enlarged on bail furnishing bail bond of Rs. 15,000/- (Rupees Fifteen Thousand only) each with two sureties of the like amount each to the satisfaction of learned Special Judge, POCSO Act, Bhagalpur, in connection with Sanokhar P.S. Case No. 32 of 2019, G.R. No. 1035/2019, subject to condition as laid down under Section 438(2) of the Cr.P.C. i.e.

(i) a condition that the person shall make himself available for interrogation by a police officer as and when required;

(ii) a condition that the person shall not, directly or



indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;

(iii) a condition that the person shall not leave India without the previous permission of the Court.

(Rajeev Ranjan Prasad, J)

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