

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75769 of 2019

Arising Out of PS. Case No.-13 Year-2019 Thana- DAGARUA District- Purnia

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1. Chamru Biswas, Son of Jyotish Bishwas, Resident of Village - Balua , P.S.- Dagarua, Distt.- Purnea.
 2. Santoshi Biswas @ Santosh Biswas, Son of Birbal Biswas, Resident of Village - Balua , P.S.- Dagarua, Distt.- Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vikram Singh, Advocate

For the Opposite Party/s : Mr.Akhileshwar Dayal, APP

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 09-12-2019 Heard learned counsel for the petitioners and the learned counsel appearing on behalf of the State.

The petitioners are in custody since 07.05.2019 in connection with Dagarua P.S. Case No.13 of 2019 (Spl. Case No.65/19) registered for the offence under Sections 363, 366A/34 of the Indian Penal Code and Section 8 of the POCSO Act.

Learned counsel for the petitioners submits that the informant had never made inquiries from the house of the petitioners regarding the whereabouts of the girl. On the contrary, the victim girl had herself filed a *Sanha* on 23.01.2019, just after the institution of the present case before



the C.J.M., Purnia, in which she had denied her abduction and had stated that she got married to one Abinash Kumar on 15.01.2019 in the presence of the people of the society in local temple and had also sworn an affidavit to the same effect. Learned counsel for the petitioners submits that the main allegation is against Abinash Kumar with whom the victim girl is said to have married and these two petitioners are said to be the friends of said Abinash Kumar, but there is no specific allegation of kidnapping against them.

Having considered the entire facts and circumstances of the case and that case as against the petitioners is remotely made out and that they have no criminal antecedents, let the petitioners, above named, be released on bail on their furnishing bail bonds 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 Cum Special Judge (POCSO), Purnea, in connection with Spl. Case No.65/19 (Dagarua P.S. Case No.13/19).

(Anjana Mishra, J)

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