

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5528 of 2019

Arising Out of PS. Case No.-23 Year-2018 Thana- ADAPUR District- East Champaran

1. Laxmi Sah, S/o Ram Chandra Sah.
 2. Bisar Sah, S/o Surya Sah.
- Both Residents of village- Latihanawa, P.S. Adapur, District East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioners	:	Mr. Anshu Dhar Sharma, Advocate
For the State	:	Mr. Nand Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 31-01-2019 Heard both sides.

Petitioners apprehend their arrest in Adapur P.S. Case No.23 of 2018 registered under Sections 376(g), 363, 379 and other minor sections of the Indian Penal Code as well as under Sections 5(g), 5(h) and 6 of the POCSO Act.

The mother of the victim alleged that Deepak Sah and Sanjay Sah caught her daughter, dragged her inside the house of Prem Sah and one by one committed rape with her. The informant further alleged that Bisar Sah and Laxmi Sah who happened to be the parents of Deepak Sah and Sanjay Sah came there, tried to get free Deepak Sah and also snatched ornaments from possession of the informant.

Learned counsel for the petitioners submits that the



police after investigation submitted final form finding the case false. Deepak Sah and Sanjay Sah are in custody. The petitioners have been falsely implicated in the case only because they happened to be the father of the accused persons.

Having considered the facts that the petitioners are alleged to have arrived at the place of occurrence after the occurrence and they tried to save their sons and the police after investigation found the accusation against the petitioners false but the learned court below took cognizance against the petitioners also, let petitioners, above named, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt of this order be enlarged on bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned 1st A.D.J.-cum-Special Judge, POCSO Act, East Champaran, Motihari in connection with Adapur P.S. Case No.23 of 2018, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Prabhat Kumar Jha, J)

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