

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9301 of 2020

Arising out of PS. Case No.-135 Year-2018 Thana- SHYAMPUR BHATHA District- Sheohar

1. SHAIL DEVI W/o Devi Lal Paswan Resident of Village- Jafarpur, P.S.- Sheohar, Distt- Sheohar
2. Devi Lal Paswan S/o Mahesh Paswan Resident of Village- Jafarpur, P.S.- Sheohar, Distt- Sheohar
3. Santosh Paswan @ Santosh Kumar S/o Nand Kishor Paswan Resident of Village- Jafarpur, P.S.- Sheohar, Distt- Sheohar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajit Kumar, Advocate

For the Opposite Party/s : Mr. Uma Shankar Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 29-02-2020 Heard learned counsel for the petitioners and the learned APP for the State.

The petitioners apprehend their arrest in connection with Shyampur Bhataha P.S. Case No. 135 of 2018 registered for the offences punishable under Sections 366(A) and 376 of the Indian Penal Code and Section 4 of the POCSO Act.

Prosecution case is that the daughter of the Informant had gone to purchase household articles but when she did not return till late evening his father went out looking for her upon which his co-villagers told that two persons have forcibly taken away her on a motorcycle. When he further inquired to them they told that Dilip Paswan has kidnapped his daughter with the intention to marry her and for doing wrongful acts.



Learned counsel for the petitioners submits that petitioner no. 1 is the mother-in-law, petitioner no. 2 is the father and petitioner no. 3 is the cousin brother-in-law and there is no specific overt act against the petitioners. He further submits that victim herself in her statement recorded under Section 164 Cr.P.C. stated that she has got married with Dilip Paswan in the Janki Temple of Sitamarhi. He also submits that the Medical Board examined the victim and found her age about 17-19 years.

In the facts and circumstances of the case, I am inclined to grant anticipatory bail to the petitioner, in the event of his arrest or surrender before the court below within six weeks from the date of communication of this order, the court below shall release them on bail on furnishing bail bonds of Rs. 20,000/- (Twenty Thousand) each with two sureties of the like amount each to the satisfaction of 1st Additional District and Sessions Judge-cum-Special Judge, POCSO, Sheohar in connection with Shyampur Bhataha P.S. Case No. 135 of 2018, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

Vikash/-

U		T	
---	--	---	--



