

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28329 of 2020

Arising Out of PS. Case No.-170 Year-2018 Thana- NAUTAN District- West Champaran

1. PRABHU SAHANI S/o Amerika Sahani
 2. Binod Sahani S/o Prabhu Sahani
 3. Pramod Sahani S/o Prabhu Sahani
- All are Resident of Village-Majharia, Police Station-Malahi, District-East Champaran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sachida Nand Rai,Adv
For the Opposite Party/s : Mrs.Renuka Ratnakar, APP

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 09-12-2020 Let the defects be removed within two weeks of the
start of the physical Court.

Heard the parties in virtual Court.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 448,363,366(A),380,120(B) of the Indian Penal Code and Section 8 of the Protection of Children from Sexual Offences Act and the learned court below took cognizance under Sections 363,366(A)/34 of the I.P.C. and Section 8 of the POCSO Act.

Statement of the victim girl recorded under Section 164 Cr.P.C. would reveal that she voluntarily left the house as she wanted to marry with Sonu Kumar. Though the victim was a



minor as she disclosed her age as 16 years and the learned Magistrate who recorded the statement under Section 164 Cr.P.C. also assessed that she was of 16 years but the victim has not alleged any offence against any of the petitioners.

Hence, let the petitioners, above named, in the event of their arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.20,000 (Twenty Thousand) each with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Nautan (Jagdishpur) P.S. Case No. 170 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and further the petitioners shall fully cooperate with the investigation/trial of the case and also the petitioners shall not leave the country without permission of the learned Trial Court, failing which the court below shall be at liberty to cancel the bail bond of the petitioners.

(Birendra Kumar, J)

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