

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.849 of 2020

Arising Out of PS. Case No.-164 Year-2019 Thana- ADAPUR District- East Champaran

1. Narendra Sah, aged about 50 years, Male, S/o Late Heeralal Sah
2. Shweta Kumari, aged about 18 years, Female, D/o Narendra Sah
3. Geeta Devi, aged about 45years, Female, W/o Narendra Sah, all are R/o village- Arara, P.S.- Adapur, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Kumar, Advocate
For the Opposite Party/s : Mr.Sanjay Kumar Tiwary

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 26-02-2020 Heard learned counsel for the petitioners, the informant and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Adapur P.S. Case No. 164 of 2019 registered for the offences punishable under Sections 363, 366(A)/34 of the Indian Penal Code and Section 8 of the POCSO Act.

The prosecution story on the basis of written application of the informant Dipendra Prasad addressed to S.H.O., Adapur Police Station, in short, is that on 09.06.2019 at 03.00 A.M., the daughter of the informant namely Pushpa Kumari aged about 15 years went to Girls High School, Adapur and during course of returning co-accused Akash Kumar along



with petitioners under the conspiracy in view to marry kidnapped her. The informant came to know about that after such. Prior to nine months ago, they have told on mobile phone to occur such occurrence.

Learned counsel for the petitioners submits that there is no specific allegation against the petitioners. There is specific allegation against co-accused Akash Kumar. He further submits that the statement under Section 164 Cr.P.C. of the so-called victim has been recorded on 04.09.2019 by the learned court below. The victim has clearly stated that she has not been kidnapped. Her father was married with another person to whom she was not liking therefore on her instance the co-accused Akash Kumar went with the victim to Mumbai and lived there till two months as a couple. Learned counsel for the petitioners further submits that the petitioners have no any criminal antecedent and there is no specific allegation against the petitioners.

Learned counsel for the informant has opposed the prayer for grant of anticipatory bail to the petitioners.

In the facts and circumstances of the case, let the above named petitioners be released on bail, in the event of arrest or surrender before the learned Court below within a



period of six weeks from today, on furnishing bail bond of Rs. 20,000/- (twenty thousand) each with two sureties of the like amount each to the satisfaction of learned 1st Additional Sessions Judge Cum Special Judge, POCSO Act, East Champaran in connection with Adapur P.S. Case No. 164 of 2019, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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