

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29240 of 2021

Arising Out of PS. Case No.-305 Year-2020 Thana- SARAI District- Vaishali

1. MITHUN SAHNI Son of Asharfi Sahni Resident of Village - Paura Madan Singh, P.S. - Sarai, District - Vaishali.
2. Prabha Devi Wife of Ratan Sahni Resident of Village - Paura Madan Singh, P.S. - Sarai, District - Vaishali.
3. Sonphi Sahni Son of Kailash Sahni Resident of Village - Paura Madan Singh, P.S. - Sarai, District - Vaishali.
4. Kanti Devi Wife of Sonphi Devi Resident of Village - Paura Madan Singh, P.S. - Sarai, District - Vaishali.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Yugal Kishore, Adv
For the Opposite Party/s : Mr.Binod Kumar, APP

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 22-10-2021 Heard learned counsel for the parties.

Petitioners apprehend their arrest in a case registered for the offence punishable under Sections 363, 366A/34 of the Indian Penal Code and Section 4/8 of the POCSO Act.

Complainant has alleged in his complaint petition that his minor daughter has been kidnapped by the accused persons as named in the complaint petition. Earlier also, they had kidnapped his daughter for which Sarai P.S Case No.247 of 2020 under Sections 363, 366 A/34 of IPC and Sections 4 and 8 of POCSO Act was instituted and, thereafter, his daughter was handed over to him by the court.

Learned counsel for the petitioners submit that they are innocent and have been falsely implicated in this case. The statement of the victim girl was recorded under Section 164 of the Cr.P.C. in Sarai P.S Case No.247 of 2020 in which she has stated that she had solemnized marriage with co-accused Suraj Kumar out of her own volition and sweet will. Petitioners are in-laws of the victim girl and she is residing in her matrimonial home with said Suraj Kumar.

Petitioners have got no criminal antecedent.

Considering the aforesaid facts and circumstances of the case, let the petitioners named above be released on anticipatory bail in the event of their arrest or surrender before the court below within a period of four weeks from today upon furnishing bail bonds of Rs. 20,000/- each with two sureties of the like amount each to the satisfaction of learned court below where the case is pending, in connection with **Sarai P.S. Case No. 305 of 2020**, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

(S. Kumar, J)

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