

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34153 of 2020

Arising Out of PS. Case No.-123 Year-2020 Thana- SHEOHAR District- Sheohar

1. Suresh Mahto S/o Late Sundar Mahto Resident of Village-Sheohar, Ward No. 14, P.S. and District-Sheohar.
2. Rajan Kumar S/o Suresh Mahto Resident of Village-Sheohar, Ward No. 14, P.S. and District-Sheohar.
3. Jagiya Devi @ Jogiya Devi W/o Suresh Mahto Resident of Village-Sheohar, Ward No. 14, P.S. and District-Sheohar.
4. Anjali Devi W/o Rajan Kumar Resident of Village-Sheohar, Ward No. 14, P.S. and District-Sheohar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Hans Lal Kumar, Advocate

For the Opposite Party/s : Mr.Zainul Abedin, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 08-03-2021 Counsel for the petitioners is directed to remove the defect(s), as pointed out by the office, within a period of four weeks.

Heard learned counsel for the petitioners and learned APP for the State.

The petitioners are apprehending their arrest in a case registered under Sections 366, 366(A)/34 of the Indian Penal Code and Section 12 of POCSO Act.

Allegation is that the accused persons abducted the daughter of the informant.



It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. The petitioners have falsely been implicated in the present case. The main allegation is against the co-accused Karan Kumar. The petitioners have been made accused because they have been relations of the said co-accused. The victim has been recovered and her statement under Section 164 of Cr.P.C. has been recorded. There is no allegation of sexual or physical abuse alleged against the petitioners. The police after investigation has submitted final form finding the case to be false. The court below has differed with the said police report and taken cognizance in the matter.

On behalf of the State, it is submitted that the petitioners No.1 to 3 are named in the F.I.R. and petitioner No.4 is not named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners, above named, in the event of arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional



District & Sessions Judge 1st-cum-Special Judge, SC/ST,
Excise, POCSO Act, Sheohar in connection with Sheohar P.S.
case No.123 of 2020, subject to the conditions as laid down
under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Narendra/-

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