

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4520 of 2022

Arising Out of PS. Case No.-75 Year-2021 Thana- BAIRIYA District- West Champaran

1. Chandra Mohan Mahto Son of Yogendra Mahto Resident of Village - Tadhwanandpur Math, Police Station - Bairiya, District - West Champaran.
2. Kusheshwar Bhagat Son of late Bangali Bhagat Resident of Village - Tadhwanandpur Math, Police Station - Bairiya, District - West Champaran.
3. Ranju Devi Wife of Ravindra Mahto Resident of Village - Tadhwanandpur Math, Police Station - Bairiya, District - West Champaran.
4. Saraswati Devi Wife of Yogendra Mahto Resident of Village - Tadhwanandpur Math, Police Station - Bairiya, District - West Champaran.
5. Puja Devi Daughter of Ravindra Mahto Resident of Village - Tadhwanandpur Math, Police Station - Bairiya, District - West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sachida Nand Rai

For the Opposite Party/s : Mr.Akhileshwar Dayal

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 08-09-2022 Heard learned counsel for the petitioners and learned counsel for the State.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 363, 366(A) of the Indian Penal Code and section 12 of the POCSO Act.

As per the prosecution case, all the accused persons including petitioners kidnapped the minor daughter of informant for the purpose of marriage.

It is submitted that specific accusation of kidnapping



is against co-accused Rahul Kumar. Moreover, the victim girl has already been recovered and she in her statement under Section 164 Cr.P.C has denied the factum of her kidnapping and clearly stated that she voluntarily left her house and went along with co-accused Rahul and they have solemnized marriage. Petitioners have been falsely implicated in this case as they are close relative of co-accused Rahul Kumar. Petitioners claim clean antecedents.

Considering the facts aforesaid, the petitioners above-named, in the event of their arrest/surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional District & Sessions Judge 7th-cum-Special Judge (POCSO), Bettiah, West Champaran in connection with Bairiya P.S. Case No. 75 of 2021, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

vinita/-

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