

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8789 of 2022

Arising Out of PS. Case No.-273 Year-2019 Thana- LAKHISARAI District- Lakhisarai

1. BALMIKI SAW @ PAIRU SAW Son of Kaleshwar Saw Resident of Village- Bhloa Tola, Ward No.2, P.S. and District- Lakhisarai.
2. Kari Devi W/o Balmiki Saw @ Pairu Saw Resident of Village- Bhola tola, Ward No.2, P.S. and District- Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Irshad

For the Opposite Party/s : Mr. Shailendra Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 02-08-2022 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

Learned counsel for the petitioners undertakes to remove the defects within four weeks of resumption of normal court proceedings. In the eventuality of non-removal of defects within stipulated period, office will place the matter before the Bench.

The petitioners apprehend their arrest in a case registered for the offence punishable under sections 366A/34 of the Indian Penal Code and 08 of POCSO Act.

The allegation against the petitioners is that the petitioners along with other accused persons kidnapped the daughter of the informant for the purpose of marriage.



It is submitted by learned counsel for the petitioners that petitioner are quite innocent and have committed no offence. they has been falsely implicated in this case due to dirty village politics. No such occurrence, in the manner as alleged, has ever taken place. The allegation leveled against the petitioner is not specific rather general and omnibus in nature. Their names transpired in the present case only because the petitioners are father and mother of one accused namely Manohar Kumar. Petitioners have no criminal antecedent, which is also mentioned in para-3 of the bail application.

Learned APP for the State opposed the prayer for anticipatory bail by submitting that the victim in her statement recorded under section 164 Cr.PC has supported the prosecution case.

Having regard to the facts and circumstances of the case, since the victim has supported the prosecution case, I am not inclined to grant bail to the petitioner. The prayer for grant of anticipatory bail on his behalf is hereby rejected.

This application is accordingly, dismissed.

(Anjani Kumar Sharan, J)

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