

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14758 of 2022

Arising Out of PS. Case No.-78 Year-2020 Thana- BHANGHA District- West Champaran

1. LALBABU SAH @ LAL BABU SAH Son of Late Kedar Sah R/O Village - Pachrukhi, P.S. - Bhangaha, District - West Champaran.
2. Sandeep Kumar Son of Lalbabu Sah @ Lal Babu Sah R/O Village - Pachrukhi, P.S. - Bhangaha, District - West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey, Advocate
For the Opposite Party/s : Mr. Binay Krishna, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 30-03-2022 The present bail application has been taken up out of turn based on the mentioning made by the learned counsel for the petitioner that the mother of petitioner no. 1 has died. A certificate in support of which issued by the Mukhiya has been filed by way of supplementary affidavit.

Heard learned counsel for the petitioners and learned A.P.P. for the State.

Let the defect(s), if any, be removed within a period of four weeks after complete start of the physical Court.

The petitioners seek bail in a case registered for the offences punishable under Sections 366(A), 379/34 of the Indian Penal Code, Section 12 of the Protection of Children from Sexual Offenses Act, 2012 read with Sections 3(i)(r)(s)/3(2)(va)



of the SC/ST Act.

Learned counsel for the petitioners submits that the petitioners are in custody since 24.12.2021, are persons with clean antecedent and charge-sheet has been submitted in this case and petitioner no. 2 is the son of petitioner no. 1.

The informant alleges that when he returned to his house from his field, he found his minor daughter missing along with cash and jewellery and during search the informant came to know that the petitioners have kidnapped his minor daughter for marriage.

Learned counsel for the petitioners submits that petitioners have been falsely implicated in the present case. The victim has come back and her statement under Sections 164 Cr.P.C. (Annexure-2) has been recorded wherein she has disclosed her age as 18 years and has not even remotely supported the prosecution case, rather has stated that on account of quarrel between her parents, she left home out of anger and went to her aunt's place.

Learned A.P.P. for the State vehemently opposes the prayer for regular bail of the petitioners.

Considering the fact that the petitioners are in custody, are persons with clean antecedent and final form



exonerating the petitioners have been submitted and the victim has not even remotely supported the prosecution case, let the petitioners above named be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending in connection with Bhangaha P.S. Case No. 78 of 2020.

(Satyavrat Verma, J)

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