

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16588 of 2022

Arising Out of PS. Case No.-72 Year-2021 Thana- SAHODARA District- West Champaran

1. Rizwan Gaddi @ Rizwan Alam Son of Iliyas Gaddi @ Aliyas Gaddi Resident of village - Dhathwa, P.S.- Shikarpur, District - West Champaran.
2. Amjad Gaddi Son of Yunus Gaddi Resident of village - Dhathwa, P.S.- Shikarpur, District - West Champaran.
3. Ijhar Gaddi Son of Wakil Gaddi Resident of village - Dhathwa, P.S.- Shikarpur, District - West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma
For the Opposite Party/s : Mr. Anita Kumari Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 07-11-2022 Heard learned counsel for the petitioners and
learned APP for the State.

The instant application for anticipatory bail has been filed by the petitioners apprehending their arrest in connection with Sahodara P.S. Case no. 72 of 2021 instituted for the offence under Sections 363, 366-A/34 of the Indian Penal Code and 08/18 of the Protection of Children from Sexual Offences Act.

It is a case of abduction of the victim daughter of the informant by co-accused namely, Nazre Alam in statement of victim recorded under section 164 of Cr.P.C.

Learned counsel appearing on behalf of the petitioners



has submitted that petitioners are innocent and have committed no offence. They have falsely been implicated in this case. It is further submitted that from perusal of the statement of victim recorded under section 164 Cr.P.C. that she stated about the complicity of the co-accused namely, Nazre Alam that he committed rape with her. The main allegation of abduction and commission of rape is against co-accused namely, Nazre Alam. It is further submitted that the victim did not whispered the complicity of the petitioners in her statement. They have got no criminal antecedent.

Learned APP appearing for the state has opposed the prayer of anticipatory bail.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioners on bail. The petitioners are directed to surrender in the Court below within a period of four weeks from today and in the event of their arrest or surrender in connection with Sahodara P.S. Case no. 72 of 2021, they will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned 7th Additional Sessions Judge-cum- Special Judge, under POCSO Act, West



Champaran at Bettiah subject to the conditions as laid down
under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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