

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22931 of 2022

Arising Out of PS. Case No.-23 Year-2019 Thana- BHIMPUR District- Supaul

BRAHAMDEV MUKHIYA Son of Basudeo Mukhiya Resident of Village-
Jivachhpur, P.S.- Bhimpur, District- Supaul, State- Bihar.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kuldeep Kumar, Advocate

For the Opposite Party/s : Mr. Satyendra Narayan Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 07-11-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Let the defect(s), if any, be removed within a period
of four weeks.

The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 366A and
34 of the Indian Penal Code and Sections 4 and 6 of the POCSO
Act.

Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent.

The informant alleges that her minor daughter aged
about 14 years was lured by Bablu Kumar Mukhiya with an
intention to marry and thus eloped.

Learned counsel for the petitioner submits that
petitioner has been falsely implicated in the present case. It is



further submitted that the date of occurrence is 22.03.2019 and the FIR was instituted on 01.04.2019 i.e. after a delay of merely 8 days without any plausible explanation. It is next submitted that petitioner is father of Bablu Kumar Mukhiya, though inadvertently at para 8 of the anticipatory bail application it has been pleaded that he is neighbour of the informant. It is also submitted that since petitioner is father of Bablu Kumar Mukhiya, as such, the informant in order to coerce Bablu Kumar Mukhiya into submission implicated his family members. It is further submitted that no father would help his son in committing an occurrence. It is next submitted that similarly situated co-accused Reena Devi and two others have been granted anticipatory bail by order dated 31.03.2022 in Cr. Misc. No. 50486 of 2021.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or 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/- (Rupees Ten Thousand) with two sureties of the like amount



each to the satisfaction of the learned court below where the case is pending/successor court in connection with Bhimpur P.S. Case No. 23 of 2019, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

Kundan/-

U		T	
---	--	---	--

