

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32464 of 2021

Arising Out of PS. Case No.-187 Year-2020 Thana- TURKAULIYA District- East
Champaran

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1. Kaushal Kishore Singh @ Kaushal Singh S/O Late Paras Singh R/O Village-Gamhariya, P.S-Banjaria, District-East Champaran.
 2. Prabhat Kumar Singh @ Gillu Singh S/O Kaushal Kishore Singh @ Kaushal Singh R/O Village-Gamhariya, P.S-Banjaria, District-East Champaran.
 3. Chhotu Singh S/O Kaushal Kishore Singh @ Kaushal Singh R/O Village-Gamhariya, P.S-Banjaria, District-East Champaran.
 4. Sushila Devi W/O Kaushal Kishore Singh @ Kaushal Singh R/O Village-Gamhariya, P.S-Banjaria, District-East Champaran.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Prabhat Kumar Singh @ Gillu Singh Kaushal Kishore Singh .kaushal Singh Gamhariya
3. Chhotu Singh Kaushal Kishore Singh .kaushal Singh Gamahariya
4. Sushila Devi Kaushal Kishore Singh.Kaushal Singh Gamahariya

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Singh, Advocate
For the Opposite Party/s : Ms. Meena Singh, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 31-03-2022 Earlier vide order dated 08.10.2021, the prayer for bail of the petitioners no.1 and 2 had already been dismissed as withdrawn by a Cor-ordinate Bench of this Court.

Heard learned counsel for the petitioners no.3 and 4 and learned APP for the State.

The petitioners no.3 and 4 are apprehending their arrest in a case registered for the offences punishable under Sections 364, 366(A) and 302/34 of the Indian Penal Code and



Sections 4/6 of the POCSO Act.

The prosecution case is that 14 years old daughter of the informant was kidnapped and she could not trace and later on the informant came to know that his daughter has been kept at the house of petitioner no.1, the father of the petitioner no.1 told the informant that his daughter was married with the son of petitioner no.1, namely, Manish Singh and they had conceived a baby out of the said wedlock and thereafter the informant came to know that his minor daughter has been murdered.

It is submitted by learned counsel for the petitioners that the petitioners have falsely been implicated in this case. He further submits that there is no specific allegation of abduction against the petitioners and the main allegation is against Manish Singh who solemnized the marriage with the deceased. He further submits that Manish Singh was getting the privilege of regular bail by Co-ordinate Bench of this court.

Learned APP appearing for the State has opposed the prayer for anticipatory bail.

In the facts and circumstances of the case and also the fact that the main allegation is against Manish Singh and cause of death has not been ascertained in the postmortem report, let the petitioners, namely, Chhotu Singh and Sushila Devi, in the



event of their arrest or surrender before the court below within a period of four weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned 6th Additional Sessions Judge-cum-Special Judge, POCSO, East Champaran at Motihari in connection with Turkaulia (Banjaria) P.S. Case No. 187 of 2020, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

Brajesh Kumar/-

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