

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23517 of 2022

Arising Out of PS. Case No.-43 Year-2022 Thana- SABAUR District- Bhagalpur

1. MUNI LAL YADAV Son of Late Paro Yadav Resident of Village - Ramchandrapur, P.S. - Goradih, District - Bhagalpur.
2. Sarita Devi Wife of Muni Lal Yadav Resident of Village - Ramchandrapur, P.S. - Goradih, District - Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manendra Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Ashok Kumar Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 09-11-2022 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 366 A, 120 B of the Indian Penal Code and Section 8 of the POCSO Act.

The informant alleges that his minor daughter was kidnapped by Rahul in connivance with his brother, father and mother.

Learned counsel for the petitioner submits that petitioners are persons with clean antecedent and have been falsely implicated in the present case, it is next submitted that petitioner No. 1 is father of Rahul and petitioner No. 2 is mother of Rahul, it is also submitted that the victim in her statement recorded under Section 164 CrPC has



not supported the prosecution case as would be evident from Annexure 3, Page 21 to the anticipatory bail application, it is next submitted that it absolutely does not stand to reason that on what basis the learned Additional District and Sessions Judge 7th, Bhagalpur has recorded that petitioners were involved in the occurrence when the victim does not support the prosecution case, the learned counsel thus submits that this amply demonstrates that how in mechanical manner the bail applications are being rejected.

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

Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory 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 trial court where the case is pending/successor court in connection with Sabaur (Goradih) P.S. Case No. 43 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

HarshPandey/-

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

