

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27003 of 2022

Arising Out of PS. Case No.-36 Year-2022 Thana- CHANPATIA District- West Champaran

1. SUGANDHI DEVI W/o Keshav Yadav Resident of Village - Chanpatiya, P.s.- Chanpatiya, Distt.- West Champaran.
2. KESHAV YADAV Son of Baiju Yadav Resident of Village - Chanpatiya, P.s.- Chanpatiya, Distt.- West Champaran.
3. NIRAJ @ NIRAJ YADAV Son of Keshav Yadav Resident of Village - Chanpatiya, P.s.- Chanpatiya, Distt.- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey, Adv.
For the Opposite Party/s : Mr.Binod Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 01-09-2022 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

Learned counsel for the petitioners undertakes to remove the defects within four weeks of resumption of normal court proceedings. In the eventuality of non-removal of defects within stipulated period, office will place the matter before the Bench.

The petitioners apprehend their arrest in a case registered for the offence punishable u/s 366A/34 of the IPC and sections 8 and 12 of POCSO Act.

Allegedly, the FIR named accused persons including the



petitioners are said to have abducted the daughter of informant.

It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case merely on suspicion. No such occurrence, in the manner as alleged, has ever taken place. The allegation leveled against the petitioners is not specific rather general and omnibus in nature. Informant is a major girl and on her own sweet will, she left the house with co-accused Mahabir Yadav, in the background of love affair. She had married with co-accused Mahabir Yadav on 19.01.2022. Petitioners are the family members of the said Mahabir Yadav, as such, they have been implicated in this case. It is submitted that the victim was recovered and her statement was recorded u/s 164 Cr.P.C., in which, she did not support the prosecution case. Petitioners have one criminal antecedent.

Learned APP for the State opposed the prayer for bail.

Having regard to the facts and circumstances of the case, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand)



each 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 Chanpatiya P.S. Case No.36 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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