

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40924 of 2021

Arising Out of PS. Case No.-155 Year-2020 Thana- PUPRI District- Sitamarhi

1. SANTOSH KUMAR @ SANTOSH CHAUDHARY Son of Lal Babu Chaudhary Resident of Village- Dharampur, Ward No. 3, P.S.- Pupri, District- Sitamarhi.
2. Kamlesh Chaudhary Son of Lal Babu Chaudhary Resident of Village- Dharampur, Ward No. 3, P.S.- Pupri, District- Sitamarhi.
3. Sangeeta Devi Wife of Kamlesh Chaudhary Resident of Village- Dharampur, Ward No. 3, P.S.- Pupri, District- Sitamarhi.
4. Lal Babu Chaudhary Son of Ram Iqbal Chaudhary Resident of Village- Dharampur, Ward No. 3, P.S.- Pupri, District- Sitamarhi.
5. Nirmala Devi Wife of Lal Babu Chaudhary Resident of Village- Dharampur, Ward No. 3, P.S.- Pupri, District- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr.Amit Kumar Jha, Advocate
For the State	:	Mr.Shyam Kumar Singh, APP
For the informant	:	Mr. Ayush Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 31-03-2022 Heard learned counsel for the petitioners, learned
APP for the State and learned counsel for the informant.

Learned Counsel for the petitioners is directed to remove the defect(s), as pointed out by the office, within a period of four weeks.

Further, learned counsel for the petitioners is permitted to make necessary correction in paragraph 3 of the main bail application in course of the day.

The petitioners are apprehending their arrest in a case



registered under Sections 341, 323, 379, 363, 366(A), 34 of the Indian Penal Code.

Allegation is that the accused persons including the petitioners abducted the grand daughter of the informant.

It has been submitted on behalf of the petitioners that there is no allegation of tampering of witnesses alleged against the petitioners. The petitioners have falsely been implicated in the present case. The victim has been recovered. Her statement under Section 164 Cr.P.C. has been recorded, in which she has stated that she had left the house out of her own will. She has not supported the allegations made in the F.I.R. The police after investigation had submitted final form against the petitioners vide Annexure 2 to the present application. Subsequently the court below had differed with the said police report and taken cognizance in the matter. Hence the present application has been preferred.

On behalf of the State and learned counsel for the informant, it is submitted that the petitioners are named in the complaint case/F.I.R.

Considering the facts and circumstances of the case, the petitioners, above named, in the event of arrest or surrender before the learned court below within a period of twelve 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 learned A.D.J. 6th-cum-Special Judge, POCSO Act, Sitamarhi in connection with Pupri P.S. case No.155 of 2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Narendra/-

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