

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34746 of 2022

Arising Out of PS. Case No.-66 Year-2021 Thana- MAHILA P.S BAGHA District- West
Champaran

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1. INNARNATH URAON SON OF SOMAR MAHTO R/O VILLAGE-
GARKATTI, P.S.- BAGAHA (PATHKHOLI), DISTRICT- WEST
CHAMPARAN
 2. PRABHAWATI DEVI WIFE OF INDARNATH URAON R/O VILLAGE-
GARKATTI, P.S.- BAGAHA (PATHKHOLI), DISTRICT- WEST
CHAMPARAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vishwajeet Kumar Mishra
For the Opposite Party/s : Mr. Choubey Jawahar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 27-09-2022 Heard the parties.

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 under section 363, 366(A), 504, 506, 34 of the IPC and chargesheet has been filed u/s 366(A) read with section 8 of the POCSO Act.

Allegedly, the petitioners along with other co-accused person took away the daughter of the informant in a car



forcefully. It is further alleged that when the informant went to the house of the petitioners, all the accused persons abused the informant and threatened him that they will kill him and never return back his daughter.

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. 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. Petitioners are the father and mother of the co-accused Anil Uraon. There is no specific overt act against the petitioners. The statement of the victim was recorded under section 164 Cr.P.c in which she has stated that she has solemnized marriage with co-accused Anil Uraon out of her own willingness. Petitioners have no criminal antecedent.

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

Having regard to the facts and circumstances of the case, since there is no specific overt act against the petitioners, 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 Bagaha (Mahila) P.S. Case No.66 of 2021, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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