

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34925 of 2022

Arising Out of PS. Case No.-86 Year-2019 Thana- DURGAWATI District- Kaimur (Bhabua)

1. ANIL KUMAR RAM S/o Lalita Ram Resident of Village- Khami Daura, P.S.- Durgawati, District- Kaimur, Bhabhua.
2. Phool Kumari Devi W/o Anil Ram Resident of Village- Khami Daura, P.S.- Durgawati, District- Kaimur, Bhabhua.
3. Rajani Kant Ram S/o Anil Kumar Ram Resident of Village- Khami Daura, P.S.- Durgawati, District- Kaimur, Bhabhua.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sri Niwas Jha, Advocate

For the Opposite Party/s : Dr. Mrityunjaya Kr.Gautam, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 28-11-2022 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) and 376 of the Indian Penal Code Section 6 of the POCSO Act.

Learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and petitioner no.2 is a woman and the informant alleges that on 26.03.2019 at 6:00 PM, his minor daughter went missing and on search she was not found and later he was informed by his villagers that his daughter has been kidnapped by the accused persons including



the petitioners.

Learned counsel for the petitioners submits that petitioners have been falsely implicated in the present case, it is next submitted that victim has been married and is living with her husband and her statement was recorded under Section 164 Cr.P.C., where she has not supported the prosecution case.

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 that since the victim has not supported the prosecution case, as such 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 Durgawati P.S. Case No. 86 of 2019 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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