

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1053 of 2021

Arising Out of PS. Case No.-197 Year-2020 Thana- BAIRIYA District- West Champaran

1. SHIV KUMAR KUSHWAHA @ SHEOJI PRASAD Son of Shambhu Prasad Resident of Village- Malahi Tola, P.S.- Bairiya, Distt- West Champaran.
2. Khushbu Kumari @ Khusboo @ Khushbu Khatoon @ Laxmi Devi D/o Md. Asgarat Resident of Village- Kajora More Lachipur Bardhaman, West Bangal, Presently residing at Village- Malahi Tola, P.S.- Bairiya, Distt- West Champaran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar No 7
For the Opposite Party/s : Mr.Upendra Kumar

CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

10 27-01-2022 Heard learned counsels for the petitioners and
the State.

Petitioners apprehend arrest in connection with Bairiya P.S. Case No. 197 of 2020 registered for the offence punishable under sections 341, 323, 354, 509/34 of the Indian Penal Code and section 12 of the POCSO Act.

Learned counsel appearing for the petitioners submits that petitioners have been falsely implicated in this case merely due to some dispute in payment of wages. The victim is major. Moreover, the payment of wages has been paid to her. A supplementary affidavit has been filed bring

on record the certified copy of the petition dated 19.02.2021 wherein the informant has stated that the altercation took place due to non payment of wages.

Considering the facts and circumstances of the case and the submissions advanced on behalf of the parties, let the petitioners, above named, in the event of arrest or surrender within a period of four weeks from today, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of 7th Additional Sessions Judge-cum-Special Judge, POCSO, Bettiah, West Champaran in connection with Bairiya P.S. Case No. 197 of 2020 subject to the conditions laid down under section 438(2) Cr.P.C.

(Arvind Srivastava, J)

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