

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47870 of 2022

Arising Out of PS. Case No.-135 Year-2020 Thana- BHITAH District- West Champaran

1. Manoj Mishra S/O Bhola Mishra Resident Of Village- Kodra Padrauna Madurahi, P.S.- Bishunpura, District- Kushinsagar (Uttar Pradesh).
2. Ramu Mishra S/O Bhola Mishra Resident Of Village- Kodra Padrauna Madurahi, P.S.- Bishunpura, District- Kushinsagar (Uttar Pradesh).

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Milind Kumar Mishra, Advocate

For the Opposite Party/s : Ms. Rina Sinha, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 15-12-2022 Heard learned counsel for the petitioners and
learned APP for the State.

The petitioners are apprehending their arrest in a case registered for the offence punishable under Sections 366A and 504/34 of the Indian Penal Code and Sections 8 and 12 of the POCSO Act.

Allegedly, the minor daughter of the informant was enticed away by co-accused, Manoj Mishra with the help of other accused persons with bad intention to get her married.

It is submitted by learned counsel for the petitioners that the petitioners have falsely been implicated in this case. He further submits that the victim girl recovered and in her



statement was recorded under Section 164 Cr.P.C. has herself stated that she eloped with one Mantu Ray, went Rajasthan and they get married and started living together and not whispered about the complicity of these petitioners. He further submits that similarly situated co-accused persons have already been granted anticipatory bail by this Court passed in Cr. Misc. No. 23215 of 2022.

Learned APP appearing for the State opposed the anticipatory bail.

Considering the aforesaid submissions, let the petitioners above named, in the event of their arrest or surrender before the court below within a period of four weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of Additional District & Sessions Judge -VII-cum-Special Judge, POCSO, Bettiah West Champaran in connection with Bhitaha Police Station Case No.135 of 2020, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

Brajesh Kumar/-

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