

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6289 of 2021

Arising Out of PS. Case No.-20 Year-2017 Thana- MAHILA PS District- Gaya

1. RAMESH KUMAR SAH Son of Late Anto Sao Resident of Village - Chand Chaura Khaba Gali, P.S. and P.O.- Vishnupath, District - Gaya.
2. Gunja Kumari Wife of Ramesh Kumar Sah Resident of Village - Chand Chaura Khaba Gali, P.S. and P.O.- Vishnupad, District - Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Ritika Rani

For the Opposite Party/s : Mr.Pradeep Nr.Kumar

CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

3 18-01-2022

Heard both sides through Video Conferencing.

Petitioners apprehend their arrest in Mahila P.S. Case No.20 of 2017 registered under Sections 366A, 376/34 of the Indian Penal Code and Section 4 of the POCSO Act.

Learned counsel for the petitioners submits that the petitioners have committed no offence and have falsely been implicated in this case. It is further submitted that from perusal of the present F.I.R. as well as Annexure 2, 3, 4 and 5, it would be evident that one Sunny Kumar Gupta is alleged to have abducted the victim girl. The victim girl in her statement under Section 164 of the Cr.P.C. has accepted that she had gone at Deoghar to meet her father but in the meantime the mother of

the victim girl also filed F.I.R. being Vishnupad P.S. Case No.70 of 2017 in which the police submitted final form finding the case untrue. The victim girl again made her statement under Section 164 of the Cr.P.C. changing her version made earlier. The petitioners are brother-in-law and sister of Sunny Kumar Gupta.

Having considered the above facts and circumstances of the case as well as the statements made in Annexure 2, 3, 4 and 5, the petitioners, above named, in the event of their arrest or surrender before the learned court below within a period of four weeks from the date of receipt/production of a copy of this order, are directed to be enlarged on bail on furnishing personal bonds to the satisfaction of learned Special Judge, POCSO Act in connection with POCSO Case No.43 of 2017 arising out of Mahila P.S. Case No.20 of 2017, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Arvind Srivastava, J)

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