

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68315 of 2021**

Arising Out of PS. Case No.-286 Year-2021 Thana- HARSIDHI District- East Champaran

1. SHAMSHER ALAM S/o Rasul Mian R/o village- Sonvarsa, P.S.- Harsidhi, Distt.- East Champaran
2. Shyam Sahani S/o Vrisha Sahani R/o village- Sonvarsa, P.S.- Harsidhi, Distt.- East Champaran
3. Arjun Sahani S/o Sukan Sahani R/o village- Sonvarsa, P.S.- Harsidhi, Distt.- East Champaran

... .. Petitioners

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Dhannjay Kumar No 2, Adv.
For the Opposite Party/s : Mr. J.N. Thakur, APP

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 26-07-2022 Learned counsel for the petitioners is directed to remove all the defects pointed out by the Stamp Reporter within one month.

Heard learned counsel for the petitioners as well as the learned APP for the State.

The petitioners apprehend their arrest in connection with Harsidhi P.S. Case No. 286 of 2021, registered for the offences punishable under Sections 366 (A), 363/34 of the Indian Penal Code & under Section 8/12 of the POCSO Act.

As per allegation, the husband of the informant is performing work of labourer and the informant along with her children resides in the house. Her daughter aged 14 years old went to ease herself but did not return. In the morning petitioner No. 1



Samsher Alam called the informant on her mobile mentioned in the FIR and demanded Rs. 50,000/- in lieu of apprising the whereabouts of her daughter.

Learned counsel for the petitioners has submitted that both the parties have compromised the case.

On the other hand, learned Addl.P.P, Sri J.N. Thakur, opposed the prayer for bail and submitted that victim in her statement under Section 164 of the Cr.P.C. has stated the complicity of the petitioners in the alleged occurrence.

The impugned order contains the statement of the victim under Section 164 of the Cr.P.C. It appears that she has named the petitioners as kidnappers. The petitioners do not deserve the privilege for anticipatory bail. Accordingly, it is rejected.

Office shall ensure that all defects are removed by the petitioners within the stipulated time provided in para-1 hereinabove, failing which the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

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