

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71312 of 2021**

Arising Out of PS. Case No.-35 Year-2021 Thana- GAUNAHA District- West Champaran

1. AMRESH KUMAR Son of Late Angad Sah @ Late Angad Prasad @ Late Angdh Sah
2. Arjun Kumar Son of Late Angad Sah @ Late Angad Prasad @ Late Angdh Sah
both Resident of Ward No.-05, Village- Amolwa, P.S.- Gaunaha, District- West Champaran, presently residing at Ward No.01, Varma Chauk, Narkatiaganj, P.S.- Shikarpur, District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kumari Shubham, Advocate
For the Opposite Party/s : Mr. A.P.P.

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER**

3 01-08-2022 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

Let the defect(s), if any, be removed within a period of
four weeks.

The petitioners apprehend their arrest in a case registered
for the offences punishable under Sections 366(A)/34 of the Indian
Penal Code read with Section 8 of the Protection of Children from
Sexual Offenses Act, 2012.

Learned counsel for the petitioners submits that petitioners
have antecedent of two cases which was instituted by the husband of
the present informant against them.

The informant alleges that his minor daughter was
kidnapped by the accused persons including the petitioners.



Learned counsel for the petitioners submits that the victim has returned and she has not supported the prosecution case in her statement recorded under Section 164 Cr.P.C. with regard to the petitioners. He further submits that police, after investigation, submitted final form in favour of the petitioners vide Final Form No. 127 of 2021, dated 08.06.2021 but the learned court below in a mechanical manner took cognizance of the offence against the petitioners.

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, the petitioners above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.5,000/- (Rupees Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Gaunaha P.S. Case No. 35 of 2021, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

Kundan/-

U		T	
---	--	---	--

