

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2315 of 2023

Arising Out of PS. Case No.-184 Year-2019 Thana- MADHEPURA District- Madhepura

1. Sumit Kumar Son Of Schendra Yadav R/O Vill.- Sahugarh, Bhagwanpur, P.S. And Distt.- Madhepura
2. Sachendra Yadav Son Of Bechan Yadav R/O Vill.- Sahugarh, Bhagwanpur, P.S. And Distt.- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sharda Nand Mishra

For the Opposite Party/s : Mr.Satyendra Narayan Singh

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 08-05-2023 Heard learned counsel for the petitioners and learned counsel for the State.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 366A, 370A, 120B/34 of the Indian Penal Code, section 4 of the POCSO Act and section 5A(c), 5A(d), 6(2-A) of the Immoral Traffic Act .

Prosecution case in brief is that petitioners along with co-accused kidnapped the informant for wrongful purpose.

It is submitted that petitioner have been falsely implicated in this case. FIR has been lodged after delay of six months without any plausible explanation which itself creates doubt over the veracity of prosecution case. It is further



submitted that on the instigation of one Nago @ Nageshwar Yadav with whom petitioners are on litigating term, the informant lodged this false and concocted case in which entire family members of petitioners have been implicated in this case. Similarly situated co-accused have been granted bail by a coordinate Bench of this Court vide order dated 21.09.2022 passed in Cr. Misc. No. 20774 of 2022. Petitioners claim clean antecedents.

Considering the facts aforesaid, the petitioners above-named, in the event of their arrest/surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-4th-cum-Special Judge, POCSO, Madhepura in connection with Madhepura P.S. Case No. 184 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

vinita/-

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