

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16031 of 2023

Arising Out of PS. Case No.-498 Year-2022 Thana- DHAKA District- East Champaran

1. Ram Sagar Sah Son Of Bhutta Sah R/O Sorpania, P.S.- Dhaka (panchpakari), District- East Champaran
2. Ajay Sah, Son Of Ram Sagar Sah R/O Sorpania, P.S.- Dhaka (panchpakari), District- East Champaran

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Patanjali Rishi Mr. Akash Deep Ms. Perna Rishi
For the Opposite Party/s	:	Mr. Shahabuddin Azeem @ S. Azeem Mr. Kundan Rathore @ Kundan Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 20-07-2023
1. The learned counsel for the petitioners is permitted to remove the defects, as pointed out by the office, during course of the day.
 2. Heard learned counsel for the petitioners, learned counsel for the informant and learned APP for the State.
 3. The petitioners seek bail in anticipation of their arrest in a case registered for the offences punishable under Sections 366A r/w 34 of the Indian Penal Code and Section 8 of the POCSO Act.
 4. The learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and the



informant alleges that Indal Kumar fled with his minor daughter aged about 15 years for the purposes of marriage. Further, Indal Kumar in the occurrence was held by his father and brother.

5. The learned counsel for the petitioners submits that petitioners have been falsely implicated in the present case. It is next submitted that from bare perusal of the allegation as alleged in the F.I.R., it would manifest that Indal Kumar and the victim were in love and they fled. Though it is alleged that the victim was a minor, but against the petitioners, it is only alleged that they helped Indal Kumar being father and brother in elopement of the victim with him. The learned counsel next submits that even the victim has come back and her statement was recorded under Section 164 of the Cr.P.C. wherein she has not alleged anything against the petitioners rather has stated that she married Indal Kumar.

6. The learned A.P.P. along with learned counsel for the informant opposes the bail application.

7. 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, are directed to be released on bail on their furnishing bail-bonds in the sum of Rs. 10,000/-



(Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Sub-Divisional Judicial Magistrate, Sikarhana, East Champaran in connection with Dhaka (Pachpakari) P. S. Case No.498 of 2022, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

8. The application stands allowed.

(Satyavrat Verma, J)

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