

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9420 of 2023

Arising Out of PS. Case No.-133 Year-2022 Thana- CHAKIA District- East Champaran

1. BOTLI DEVI W/O RAM PRASAD THAKUR Resident of village- Medan Sirisiya, P.S.- Kalyanpur, District- East Champaran.
2. RAKESH THAKUR S/O RAM PRASAD THAKUR Resident of village- Medan Sirisiya, P.S.- Kalyanpur, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar

For the Opposite Party/s : Mr. Uday Chand Prasad

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 20-04-2023 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners apprehend their arrest in connection with Chakiya P.S. Case No.133 of 2022, registered for the offences punishable under Sections 363, 366-A of the Indian Penal Code and Section 8 of the POCSO Act.

Petitioners and other co-accused persons are said to have kidnapped the daughter of the informant.

Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in the present case. The petitioners have got no criminal antecedent as stated in paragraph-3 of the bail petition. It is further submitted that petitioner no.1, Botli Devi is mother and petitioner no.2,



Rakesh Thakur is brother of co-accused, Anu Kumar Thakur. It is submitted that no specific overt act is alleged against the petitioners. It is further submitted that co-accused, Sonu Thakur and Ram Prasad Thakur have already been enlarged on bail by the learned court below (Annexure-2 of the bail petition). Learned counsel for the petitioners further submits that son of petitioner no.1, Anu Kumar Thakur and the victim girl are still traceless.

Learned APP for the State opposed the prayer for grant of anticipatory bail to the petitioners.

Taking into consideration the facts aforesaid, let 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 enlarged on bail on furnishing bail bonds of Rs.25,000/- (rupees twenty five thousand) each with two sureties of the like amount each to the satisfaction of learned 7th Additional Sessions Judge-cum-Special Judge, POCSO Act, Motihari, East Champaran in connection with Chakiya P.S. Case No.133 of 2022, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure.

(Anjani Kumar Sharan, J)

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