

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12760 of 2023

Arising Out of PS. Case No.-392 Year-2018 Thana- NAUTAN District- West Champaran

1. GUDDU PRASAD @ GUDDU KUMAR Son of Pradeep Prasad Kushwaha Resident of Village- Kalyanpur, P.S.- Keshariya, District- East Champaran at present residing at village- Turkauliya, Nimwa Tola, P.S.- Turkauliya, District- East Champaran
2. BULLET PRASAD Son of Jawahar Prasad Resident of Village- Turkauliya, Nimwa Tola, P.S.- Turkauliya, District- East Champaran
3. JAWAHAR PRASAD @ JAWAHIR PRASAD @ JAWAHARLAL PRASAD Son of Not Known Resident of Village- Turkauliya, Nimwa Tola, P.S.- Turkauliya, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar, Adv.
For the Opposite Party/s : Mr.Nand Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 28-04-2023 Heard learned counsel for the petitioners and learned APP
for the State.

At the outset, learned counsel for the petitioners seeks permission to withdraw this application with regard to petitioner no.1, who has surrendered during pendency of this application.

Permission is granted.

This application with regard to petitioner no.1 is dismissed as withdrawn.

Now, it is being heard for consideration of anticipatory bail on behalf of the petitioner nos.2 and 3.



The petitioners apprehend their arrest in a case registered for the offence punishable u/s 363, 365, 366(A), 34 of the IPC and section 6 of the POCSO Act.

As per the prosecution case, the accused persons including the petitioners are said to have abducted the minor daughter of the informant.

It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case due to grudge. No such occurrence, in the manner as alleged, has ever taken place. The allegation leveled against the petitioners is not specific rather general and omnibus in nature. It is submitted that victim girl was in love affair with petitioner no.1 and went with him on her sweet will to marry him and petitioner no.2 and 3 are the maternal uncle and maternal grand-father of petitioner no.1. Petitioners have no criminal antecedent.

Learned APP for the State opposed the prayer for bail.

Having regard to the facts and circumstances of the case, since there is no specific overt act against the petitioner nos.2 and 3, let them, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/-



(Rupees Twenty 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 Nautan P.S. Case No.392 of 2018, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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