

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11094 of 2023

Arising Out of PS. Case No.-59 Year-2021 Thana- TEYAR District- Bhojpur

1. TUNU THAKUR @ AMIT THAKUR Son of Sunil Thakur Resident of village - Uttardaha, P.S.- Tiyyar, District - Bhojpur
2. Indu Devi Wife of Sunil Thakur Resident of village - Uttardaha, P.S.- Tiyyar, District - Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kamlesh Prasad Yadav

For the Opposite Party/s : Mr.Dinesh Singh

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 27-04-2023 Heard learned counsel for the petitioners and the State.

Petitioners apprehend arrest in a case registered for the offence punishable under sections 363,366A/34 of the Indian Penal Code and section 8/12 of the POCSO Act.

As per the prosecution case, all the FIR named accused persons including the petitioners kidnapped daughter of the informant for the purpose of marriage.

Learned counsel appearing for the petitioners submits that the petitioners are innocent and have falsely been implicated in this case. Specific accusation of kidnapping is against co-accused Diraj Thakur and petitioners are merely his



neighbourer. Similarly situated co-accused has already been allowed pre-arrest bail by a co-ordinate bench of this Court vide paragraph 9 of the bail petition. Police after investigation submitted final form against the petitioners but the Court below differing with the same took cognizance of the offence. Petitioners claim clean antecedent.

Considering the aforesaid facts of the case, prayer for bail of all the petitioners is allowed. In the event of arrest/surrender within six weeks from today, let these petitioners, mentioned above, 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 Additional Sessions Judge VI cum Special Judge, POCSO Act Bhojpur at Ara in Tiwar Police Station Case No. 59/2021/ POCSO Case No.25 of 2022, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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