

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18896 of 2023

Arising Out of PS. Case No.-54 Year-2022 Thana- SAKURABAD District- Jehanabad

1. Shankar Prasad, Male, aged about 42 years, son of Late Ram Narayan Prasad @ Late Ram Narayan Prasad.
2. Tilak Kumar @ Sauravraj, Male, aged about 21 years, son of Shankar Prasad Both resident of village- Ratni, P.S.- Shakurabad, Distt. - Jehanabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjay Kumar Singh, Advocate
For the Opposite Party/s : Mr. Sadanand Paswan, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 17-05-2023 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

2. The petitioners seek bail in connection with Shakurabad PS Case No. 54 of 2022 dated 31.03.2022, instituted for the offence punishable under Sections 365, 366, 354, 376 of the Indian Penal Code, Section 8 of the Prevention of Children from Sexual Offences Act and Sections 3(i)(b)(r)(s)(w)/3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

3. It is alleged that the daughter of the informant was kidnapped by Sanjit Kumar and the co-accused helped Sanjit Kumar in kidnapping. Marriage of the informant's daughter



with Sanjit Kumar was solemnized with the help of other co-accused persons at Hanuman Temple, Patna. It is further alleged that his daughter was kept at Patna for about two months. After sometime, family members of Sanjit Kumar came at the house of the informant and threatened that they will not keep his daughter and also used abusive language.

4. Learned counsel for the petitioners submits that petitioner no.1 is uncle of Sanjit Kumar and petitioner no. 2 is first cousin of Sanjit Kumar. They are living separately and have no concern with the family affairs of Sanjit Kumar. There is delay of about six months in lodging the complaint. Learned counsel further submits that similarly situated co-accused Vimal Prasad has been granted by a co-ordinate Bench of this Court by order dated 06.04.2023 vide Cr. Misc. No. 5034 of 2023. Further, co-accused Sabita Devi and Ranjeet Kumar, who are the mother and own brother of Sanjit Kumar, have also been granted bail by order dated 09.01.2023 passed in Cr. Misc. No. 63571 of 2022. It is further submitted that petitioner no.2 has no criminal antecedents and petitioner no.1 has one case against him. They are in custody since 18.02.2023.

5. Learned APP has opposed the prayer for bail.

6. Having considered the facts and circumstances of



the case and submissions of learned counsel for the parties, let the petitioners be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the Additional Sessions Judge-VI-cum Special Judge, POCSO Act, Jehanabad, in Shakurabad PS Case No. 54 of 2022.

(Khatim Reza, J)

J. Alam/-

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