

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25761 of 2023

Arising Out of PS. Case No.-186 Year-2022 Thana- GOPALPUR District- West Champaran

1. BALISTAR SAH Son of Bhimlal Sah Resident of village - Mahesra, P.S.-
Gopalpur, District - West Champaran
2. Subhas Sah Son of Bhimlal Sah Resident of village - Mahesra, P.S.-
Gopalpur, District - West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shivjee Singh, Advocate
For the Opposite Party/s : Mr. Dilip Kumar No. 1, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 12-07-2023 Heard learned counsel for the petitioners and learned

A.P.P. for the State.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 363, 366A of the Indian Penal Code, Sections 3(i)(r)(w), 3(2)(v-a) SC/ST Act and Section 8/12 of the POCSO Act.

As per the prosecution case, the accused persons named in the FIR including the petitioner have collectively abducted the daughter of the informant with the evil intention of marriage.

Learned counsel for the petitioners submits that petitioners is innocent and have been falsely implicated in this case. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. He submits that



there is no specific overt act against the petitioners, there is specific allegation against co-accused Sandeep Kumar. He further submits that the victim in her statement under Section 164 of the Cr.P.C. has not stated the name of the petitioners. Petitioners have no criminal antecedent as mentioned in para-3 of this application.

Learned APP for the State opposes prayer for anticipatory bail.

Having regard to the facts and circumstances of the case and the fact that there is no specific overt act against the petitioners, let the above named petitioners, 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 lower Court where the case is pending/successor Court in connection with Gopalpur P.S. Case No.186 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

anand/-

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