

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22546 of 2023

Arising Out of PS. Case No.-580 Year-2022 Thana- MOTIHARI MUFASIL District- East
Champaran

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1. SIKILIYA DEVI w/o- BUNNI LAL SAHANI Village- Lakhaura Purwari
Tola Ps- Lakhaura Dist- East Champaran
 2. Bunnilal Sahani son of Ram Lakhan Sahani Village- Lakhaura Purwari Tola
Ps- Lakhaura Dist- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhishek Kumar, Adv.

For the Opposite Party/s : Mr.Narendra Kumar Singh, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 04-07-2023 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, 366(A)/34 of the Indian Penal Code and Section 8 of the POCSO Act.

The allegation against the petitioners is that they helped co-accused, namely, Niraj Sahani, in kidnapping the minor daughter of informant aged 16 years for the purpose of marriage.

It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no



offence. No such occurrence as alleged ever took place. Petitioners have been falsely implicated in this case due to previous enmity. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. Similarly situated co-accused have been enlarged on bail by a co-ordinate bench of this court vide order dated 03.05.2023 passed in Cr. Misc. No. 73277 of 2022. Petitioners have no criminal antecedent as mentioned in para-3 of this application.

Learned APP for the State opposed the prayer for bail and submitted that the statement of the victim has been recorded under Section 164 Cr.P.C., in which she has supported the prosecution case.

Having regard to the facts and circumstances of the case, as similarly situated co-accused have been granted anticipatory bail by a co-ordinate Bench of this Court, 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 Muffasil (Lakhaura) P.S. Case No.
580 of 2022, subject to the condition as laid down under
Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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