

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24349 of 2023

Arising Out of PS. Case No.-281 Year-2022 Thana- GHORASAHAN District- East
Champaran

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1. MUSTT AMARUN NESHA Wife of Late Mujabil Dewan R/o village - Pakahi Tola Ward No.- 7, P.S.- Ghorasahan, Dist.- E. Champaran
 2. Sameer Dewan Son of Late Jiyaul Dewan R/o village - Pakahi Tola Ward No.- 7, P.S.- Ghorasahan, Dist.- E. Champaran

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhannjay Kumar No 2
For the Opposite Party/s : Mr. Uma Shankar Prasad Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 07-08-2023 Heard the parties.

2. The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 363, 366(A), 34 of the Indian Penal Code and Section 8 of POCSO Act.

3. The allegation against the petitioners is that they along with co-accused Kamir Dewan kidnapped the daughter of the informant.

4. 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. No such occurrence, in the manner as alleged, has ever taken place. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. The petitioners are the family



members of co-accused Kamir Dewan and there is no specific overt act against them. He further submits that the statement of the victim was recorded under Section 164 of Cr.PC in which she has not supported the prosecution case. Petitioners have no criminal antecedent.

5. Learned APP for the State opposed the prayer for anticipatory bail.

6. Having regard to the facts and circumstances of the case as 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 court below where the case is pending/Successor Court in connection with Ghorasahan P.S. Case No.281 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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