

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41328 of 2023

Arising Out of PS. Case No.-539 Year-2022 Thana- BEUR District- Patna

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1. SANJAY KUMAR Son of Ram Jatan Singh Residence of Bus Stand Dhelwa, P.s. - Ram Krishna Nagar, Distt. - Patna
 2. Aarti Devi Wife of Sanjay Kumar Residence of Bus Stand Dhelwa, P.s. - Ram Krishna Nagar, Distt. - Patna

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Shankar Sinha, Advocate
For the Opposite Party/s : Ms. Rina Sinha, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 07-08-2023 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners apprehend their arrest in connection with Beur P.S. Case No. 539 of 2022 registered for the offences punishable under Sections 366(A) and 376 of the Indian Penal Code read with Section 4 of the POCSO Act.

3. Learned counsel for the petitioners submits that the petitioners are persons with clean antecedent, petitioner no.2 is a woman and the informant alleges that earlier his daughter had eloped with Nitish but returned and again went missing on 16.10.2022 thus he went to inquire to the house of Nitish but was abused by the petitioners.

4. Learned counsel for the petitioners submits that the



petitioners have been falsely implicated in the present case, it is next submitted that petitioners being father and mother of Nitish came to be implicated in the present case, it is also submitted that from perusal of the allegations as alleged in the FIR it would manifest that the informant himself has alleged that earlier his daughter had fled with Nitish but later came back and this time she went missing but does not allege that it was Nitish who kidnapped her.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

6. Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten 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 Beur P.S. Case No. 539 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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