

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41007 of 2022

Arising Out of PS. Case No.-90 Year-2022 Thana- PIPRAKOTHI District- East Champaran

1. LALAN PASWAN Son of Sadhu Paswan Resident of Village - Chand Saraiya, P.s.- Pipra Kothi, Distt.- East Champaran.
2. Ajay Kumar @ Ajay Kumar Paswan Son of Badri Paswan Resident of Village - Chand Saraiya, P.s.- Pipra Kothi, Distt.- East Champaran.
3. Badri Paswan Son of Late Sukesar Hazra Resident of Village - Chand Saraiya, P.s.- Pipra Kothi, Distt.- East Champaran.
4. Dhanjay Kumar Son of Badri Paswan Resident of Village - Chand Saraiya, P.s.- Pipra Kothi, Distt.- East Champaran.
5. Mukesh Kumar @ Mukesh Paswan Kumar Son of Naresh Paswan Resident of Village - Chand Saraiya, P.s.- Pipra Kothi, Distt.- East Champaran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Shankar Shrivastava
For the Opposite Party/s : Mr.Tarun Prasad Mandal

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

7 07-07-2023 Heard learned counsel for the petitioners and the State.

Petitioners apprehend their arrest in a case registered for the offence punishable under Section 363, 366(A)/34 of the Indian Penal Code and u/s 8/12 of POCSO Act.

As per the prosecution case, these petitioners along with other accused persons kidnapped the minor sister of the informant for the purpose of marriage.

Learned counsel appearing for the petitioners submits



that petitioners are innocent and have falsely been implicated in the case. It is further submitted that victim in her statement u/s 164 of the Cr. P. C. has denied the prosecution case and stated that she out of her own sweet will went outside the house and nobody has kidnapped her.

Learned counsel appearing for the State opposes the prayer for anticipatory bail.

Considering the facts of the case and the statement of victim recorded u/s 164 of the Cr. P. C., let the petitioners, above named, in the event of their arrest/ surrender within a period of six weeks from today shall be enlarged on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Additional Sessions Judge-VI-cum-Special Judge, POCSO Act, East Champaran, Motihari in connection with Piprakothi PS case No. 90/ 2022, subject to conditions laid down u/s 438(2) of the Cr.P.C.

(Prabhat Kumar Singh, J)

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