

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47618 of 2023

Arising Out of PS. Case No.-86 Year-2023 Thana- RUPASPUR District- Patna

1. SANJAY KUMAR GUPTA Son of Late Vashudev Prasad Gupta Resident of village - Anand Bazar, Tarachak, P.S. - Danapur, Distt. - Patna
2. Preety Gupta Wife of Sanjay Kumar Gupta Resident of village - Anand Bazar, Tarachak, P.S. - Danapur, Distt. - Patna
3. Praduman Kumar @ Praduman Bharti Son of Sanjay Kumar Gupta Resident of village - Anand Bazar, Tarachak, P.S. - Danapur, Distt. - Patna

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Indra Bhushan Tiwary

For the Opposite Party/s : Mr. Syed Mojibur Rahman

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 20-09-2023 Heard the parties.

2. The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 363, 365, 34 of the Indian Penal Code and Section 4 and 6 of POCSO Act.

3. The allegation against the petitioners is that they are involved in the abduction of the minor son 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. He further submits that the victim has not taken the name of the petitioners in his statement recorded u/s 164 of Cr.PC, he only took the name of co-accused namely, Nidhi Bharti. Petitioners are the family members of co-accused Nidhi Bharti and there is no specific overt act against them. 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 Rupaspur P.S. Case No.86 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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