

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56153 of 2023

Arising Out of PS. Case No.-254 Year-2023 Thana- MOTIHARI MUFASIL District- East
Champaran

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1. RAJVANSHI MUKYHIYA Son of Dewal Mukhiya @ Dev Lal Mukhiya
Resident of Village - Semra Bandh, P.S. - Muffasil, Distt. - East Champaran
 2. SHIV MANGAL MUKHIYA Son of Dewal Mukhiya @ Dev Lal Mukhiya
Resident of Village - Semra Bandh, P.S. - Muffasil, Distt. - East Champaran
 3. PAPPU MUKHIYA @ PAPPU KUMAR Son of Rajvanshi Mukhiya
Resident of Village - Semra Bandh, P.S. - Muffasil, Distt. - East Champaran

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjana Srivastava, Advocate
For the Opposite Party/s : Mr. Binay Krishna, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 09-11-2023 Learned counsel for the petitioners is permitted to
remove the defect(s), as pointed out by the office, if any, within
a period of three weeks from today.

2. Heard learned counsel for the petitioners and
learned Additional Public Prosecutor for the State.

3. The petitioners are apprehending their arrest in a
case in connection with Muffasil P.S. Case No. 254 of 2023
dated 01.04.2023. registered for the offences punishable u/ss
341, 323, 363, 365, 504, 349 read with section 34 of the Indian
Penal Code and section 08 of the POCSO Act and Sections 3 (1)
(r) (s) of the SC/ST Act.



4. As per the prosecution case, the petitioners and the co-accused persons are alleged to have kidnapped the minor daughter of the informant. It is further alleged that when the informant made complaint, all the accused persons abused him by saying his caste name.

5. Learned counsel for the petitioners has submitted that the petitioners have falsely been implicated in this case. Similarly situated co-accused has already been granted bail by this court vide order dated 07.11.2023 passed in Cr. Misc. No. 47576 of 2023. The victim in her statement recorded under section 164 of the Cr.P.C. has stated that she went to her relative of her own will. The petitioners have no criminal antecedent as stated at para 3 of the bail petition.

6. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioners.

7. Considering the aforesaid facts and circumstances of the case, let the above named petitioners, in the event of their arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 20,000/- (Rupees Twenty thousand) each with two sureties of the like amount each to the satisfaction of learned court concerned, Motihari, East Champaran in connection with Muffasil P.S. Case No. 254



of 2023, subject to conditions as laid down under Section 438(2)
of the Code of Criminal Procedure.

8. This application stands allowed.

(Chandra Prakash Singh, J)

guddukr/-

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