

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47576 of 2023

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

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1. Raj Bhawan Mukhiya Son Of Dewal Mukhiya @ Dev Lal Mukhiya Resident Of Village- Semra Bandh, P.S.- Muffasil, District- East Champaran
 2. Raj Bhajan Mukhiya @ Bhajan Mukhiya Son Of Dewal Mukhiya @ Dev Lal Mukhiya Resident Of Village- Semra Bandh, P.S.- Muffasil, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjana Srivastava, Advocate
For the Opposite Party/s : Mrs.Usha Kumari 1, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

4 07-11-2023 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

2. 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 u/s 8 of the POCSO Act and u/ss 3(1)(r)(s) of the SC/ST Act.

3. As per the prosecution case, the petitioners and the co-accused persons are alleged to have kidnapped the minor daughter of the informant. Further it is alleged that the accused persons assaulted and abused the informant.

4. Learned counsel for the petitioners has submitted that



the petitioners have falsely been implicated in this case. There is no eye witness to the alleged occurrence. The victim in her statement recorded under Section 164 of Cr.P.C. has stated that she was not kidnapped by anyone rather she went to her relative house of her own will. It is further submitted that the petitioners have no concern with the alleged offence. The petitioners have no criminal antecedent as stated in para 3 of the bail petition.

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

6. 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.

7. This application stands allowed.

(Chandra Prakash Singh, J)

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