

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48209 of 2022**

Arising Out of PS. Case No.-479 Year-2020 Thana- HARSIDHI District- East Champaran

1. JAI PRAKASH SAHANI @ OM PRAKASH KUMAR S/o Amar Sahani.
2. SANTOSH KUMAR S/o Nema Sahani, Both are Resident of Village- Dhab Tola, Kadhiya, P.S.- Harsidhi, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Madhurendra Kumar, Advocate

For the Opposite Party/s : Mr.Braj Kishore Pd., APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 06-01-2023 Heard learned counsel for the petitioners and the learned APP for the State through virtual mode in view of COVID-19.

The petitioners apprehend their arrest in connection with Harsidhi P.S. Case No.479 of 2020 instituted under Sections 363,366(A), 34 of the IPC and Sections 8 and 12 of POCSO Act.

As per the prosecution story, the informant alleged that his daughter was missing and further had suspicion that as earlier there had been some scuffle with the accused persons, they may have kidnapped the victim girl and sold her in a brothel.

Subsequently, the victim girl was recovered and taken back by the parent from Haryana and in her 164 Cr.P.C.



statement, she named these petitioners, as per the order sheet of the learned Sessions Judge.

Taking into account the fact that in her 164 Cr.P.C. statement she had named these petitioners, it is not a fit case for grant of anticipatory bail, which is accordingly rejected.

If the petitioners surrender within two weeks from today, the learned court will take up the matter and pass an order preferably on the same day, if possible, on the basis of documents available without being prejudiced by this order.

(Rajiv Roy, J)

Prakash Narayan /-

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