

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51485 of 2023

Arising Out of PS. Case No.-33 Year-2023 Thana- PIPRAKOTHI District- East Champaran

1. Gayatri Devi Wife Of Rudal Sahani Resident Of Village - Hathiyahi, P.S. - Pipra Kothi, District - East Champaran, Motihari
2. Pramod Sahani Son Of Lalan Sahani Resident Of Village - Hathiyahi, P.S. - Pipra Kothi, District - East Champaran, Motihari
3. Anita Devi Wife Of Pramod Sahani Resident Of Village - Hathiyahi, P.S. - Pipra Kothi, District - East Champaran, Motihari

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajesh Kumar

For the Opposite Party/s : Mr.Umeshanand Pandit

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

5 21-12-2023 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in a case registered for the offence punishable under Sections 363, 366A/34 of the Indian Penal Code and Section 8 of the POCSO Act.

3. Petitioners are said to have kidnapped the minor daughter of the informant for the purpose of marriage.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. He submits that there is no specific overt act against the petitioners. He submits that there is general and omnibus



allegation levelled against the petitioners. He submits that occurrence took place on 27.01.2023 but the FIR has been lodged on 03.02.2023 after delay of 6 days without explaining any reasonable cause of delay. He further submits that petitioner has no criminal antecedent as stated in para-3 of the bail application.

5. Learned APP for the State opposes the prayer for bail submits that the petitioners have criminal antecedent which is clear from para-19 of the case diary. He further submits that the victim is still traceless.

6. Considering the facts and circumstances of the case and the fact that the victim is still traceles, I am not inclined to enlarge the petitioners on bail. Accordingly, their prayer for anticipatory bail is rejected in connection with Pipra Kothi P.S. Case No. 33 of 2023.

(Anjani Kumar Sharan, J)

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