

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50694 of 2023

Arising Out of PS. Case No.-210 Year-2022 Thana- KARPI District- Jehanabad

1. Sonu Kumar Son of Chitranjan Mistry Resident of village - Satvan, P.s. - Karpi, Distt. - Arwal (Jehanabad)
2. Chotu Kumar Son of Chitranjan Mistry Resident of village - Satvan, P.s. - Karpi, Distt. - Arwal (Jehanabad)

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Paritosh Parimal, Advocate
For the Opposite Party/s : Ms. Madhuri Lata, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 23-08-2023 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners in the present case are seeking pre-arrest bail in connection with Karpi P.S. Case No. 210 of 2022 registered for the offenses punishable under Sections 366(A), 504, 506/34 of the Indian Penal Code and Section 8 of the Protection of Children from Sexual Offenses Act. They have got no criminal antecedent.

3. As per the prosecution story, on 19.08.2022 the daughter of the informant went out to attend nature call but did not return after a while. When the informant and the family members started searching for her, it was found that one Guddu Kumar took away her for the purpose of marriage. When the



informant inquired about his daughter from the family of the Guddu Kumar, they assaulted him and abused him.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in this case. It is submitted that the petitioners are the maternal uncle of the co-accused Guddu Kumar. It is further submitted that co-accused Guddu Kumar along with the victim girl are residing at Jaipur which would be evident from the impugned order itself.

5. Learned APP for the State has opposed the prayer for anticipatory bail of the petitioners.

6. Having regard to the fact that these petitioners are the maternal uncle of the co-accused Guddu Kumar who is allegedly responsible for the alleged occurrence and further submission that learned Special Judge (POCSO) has himself noticed from paragraph '27' of the case diary that the victim and the co-accused Guddu Kumar are residing in Jaipur, this Court directs that in case of their arrest or surrender within a period of four weeks from today, the petitioners above named be released on bail in connection with Karpi P.S. Case No. 210 of 2022 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 learned Additional Sessions Judge-VI-cum-



Special Judge (POCSO), Jehanabad, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

7. And further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

8. This application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

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