

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52254 of 2022

Arising Out of PS. Case No.-16 Year-2021 Thana- MAJHAULIA District- West Champaran

1. BIRA MUKHIYA Son of Late Gorakh Mukhiya R/V- Chanayan Bandh, Tola- Ninwaliya, Ward No. 6, P.S- Majhauliya, Dist- West Champaran
2. Sita Devi Wife of Bira Mukhiya R/V- Chanayan Bandh, Tola- Ninwaliya, Ward No. 6, P.S- Majhauliya, Dist- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma, Advocate

For the Opposite Party/s : Mr. Ajay Kumar No. 2, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 12-01-2023 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.

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

The petitioners are apprehending their arrest in a case registered for the offences punishable u/s 363, 366(A)/34 of the I.P.C. and 08/12 of the POCSO Act.

As per the prosecution case, the co-accused person, namely, Bikau Kumar kidnapped the minor daughter of the informant for wrong purposes. When the informant went to made complaint to the family member of the co-accused Bikau Kumar, the father and the mother of the co-accused misbehaved



with the informant and threatened to kill him.

Learned counsel for the petitioners has submitted that the petitioners have falsely been implicated in this case. He has submitted that the allegation against the petitioners is of misbehaving and threatening the informant. The petitioners have no criminal antecedent as stated at para 3 of the bail petition.

Learned A.P.P. for the State has vehemently opposed the prayer of anticipatory bail of the petitioners.

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 anticipatory 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, West Champaran at Bettiah in connection with Majhulia P.S. Case No. 16 of 2021, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

This application stands allowed.

(Chandra Prakash Singh, J)

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