

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54586 of 2022

Arising Out of PS. Case No.-210 Year-2021 Thana- SATHI District- West Champaran

Rahul Mani Tiwari @ Rahul Tiwari Son Of Lavmani Tiwari R/O Village- Chengauna, At Present Pandey Tola Narkatiaganj (BEHIND Ramjanki Mandir), Police Station- Narkatiaganj, Distt.- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vasisth Narayan Mishra, Advocate

For the Opposite Party/s : Mr.Dashrath Mehta, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 18-01-2023 Heard Mr. Vasisth Narayan Mishra, learned counsel
for the petitioner and the State.

Let the defect(s), if any, as pointed out by the
office, be removed within four weeks.

The petitioner is apprehending arrest in connection
with Sathi P.S. Case No. 210 of 2021 under sections 363, 365/34
of the Indian Penal Code and sections 8, 12 of the Protection of
Children From Sexual Offences, Act.

As per the prosecution story, the informant
alleged that his two daughters had gone to 'Chhath Ghat' from
where the named accuseds including the petitioner herein
kidnapped them. They came to know about the said kidnapping
through the villagers. Subsequently, the girls were recovered



and they made statement under section 164 of the Cr.P.C., naming one Bulbul Shukla, Ashu Prince Pandey and Aman Sharma but not named this petitioner.

Learned counsel for the petitioner submits that the police investigated the matter and filed final form against the petitioner while submitted charge-sheet against others. However, cognizance has been taken against him, necessitating this anticipatory bail.

The last submission is that similar placed co-accused Vijay Shukla and another have since been granted the benefit of anticipatory bail on 20.9.2022 by a coordinate bench of this Court in Cr. Misc. No. 48374 of 2022.

Let the same be kept on record.

The learned APP on the other hand submits that the two daughters of the informant were kidnapped and the name of the petitioner had also come and as such he opposed the prayer.

Taking into account the fact that after recovery, the two girls did not name this petitioner in their 164 Cr.P.C. statement, the police had submitted final form but subsequently cognizance has been taken, he is a young boy having no criminal antecedent and similar placed persons have since been extended the benefit of anticipatory bail, this Court is also



inclined to grant him the same benefit of anticipatory bail.

Let the petitioner be released on bail, in the event of his arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Additional District & Sessions Judge-VII-cum Special Judge-POCSO, Bettiah, West Champaran, in connection with Sathi P.S. Case No. 210 of 2021 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Rajiv Roy, J)

Ravi/-

U		T	
---	--	---	--

