

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56610 of 2022

Arising Out of PS. Case No.-46 Year-2022 Thana- INARWA District- West Champaran

1. Om Prakash Kumar S/O Late Achhe Lal Mahto Resident Of Village And P.S.- Inarwa, District- West Champaran.
2. Bhaonath Devi @ Mukhrani Devi W/O Late Achhe Lal Mahto Resident Of Village And P.S.- Inarwa, District- West Champaran.
3. Pramod Kumar S/O Gopal Sah Resident Of Village And P.S.- Inarwa, District- West Champaran.
4. Jawahir Mahto S/O Late Dhur Mahto Resident Of Village And P.S.- Inarwa, District- West Champaran.
5. Deepak Kumar S/O Makhan Pandit Resident Of Village And P.S.- Inarwa, District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party

Appearance:

For the Petitioner/s : Mr. Umesh Kumar Gupta, Advocate
For the Opposite Party : Mr. Md. Fahimuddin, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 23-01-2023 Heard learned counsel for the petitioners and learned APP
for the State.

The petitioners apprehend their arrest in connection with Inarwa P.S. Case No. 46 of 2022 for the offence registered under Sections 366(A) and 34 of the Indian Penal Code and Section 8 of POCSO Act.

As per the prosecution story, the informant alleged that his minor daughter 17 years old Soni Khatoon left home for some work but was later taken away by the accused persons.

Accordingly, the F.I.R. was lodged.

Subsequently the victim girl was recovered and police after recording her statement under section 161 and 164 of the Cr.P.C. submitted charge sheet against accused Manoj Kumar and further stated that so far as other co-accused (petitioner herein who are family members of Manoj Kumar) it was incorporated in the final form that nothing incriminating has/have come against them. However, subsequently the concerned Court took cognizance against these petitioners also necessitating this anticipatory bail petition.

Learned APP for the State opposes the prayer for bail.

Considering the aforesaid facts as also that none of the petitioners have criminal antecedents, three of them are young boys in the age group of 20-22 years, ultimately they will have to face the trial, this Court is inclined to grant them privilege of anticipatory bail.

In the aforesaid circumstances the petitioners, in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional District Judge VIIth, West Champaran, Bettiah in

connection with Inarwa P.S. Case No. 46 of 2022, subject to
condition as laid down under Section 438(2) of the Cr.P.C.

(Rajiv Roy, J)

Shahnawaz/Vats-

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