

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60465 of 2023

Arising Out of PS. Case No.-205 Year-2023 Thana- KALYANPUR District- East Champaran

1. Pappu Kumar S/O Bandhu Rai Resident Of Village- Ganesh Sirsiya, P.S- Chakia, Distt.- East Champaran.
2. Bandhu Rai S/O Raja Rai Resident Of Village- Ganesh Sirsiya, P.S- Chakia, Distt.- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar
For the Opposite Party/s : Mr. Md. Mushtaque Alam

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 13-10-2023 Heard learned counsel for the petitioners, learned
A.P.P. for the State and learned counsel for the informant.

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

3. As prosecution case, the allegation against the petitioners are that they along with other co-accused involved in the kidnapping of the minor daughter of the informant with *mala fide* intention.

4. It is submitted by learned counsel for the petitioners that petitioners have falsely been implicated in this case. Petitioners have no criminal antecedent as mentioned in Para 3



of the application. He further submits that the statement of victim recorded under Section 164 Cr.P.C. in which she has not supported the prosecution case. There is inordinate delay of 66 days in lodging the F.I.R.

5. Learned APP for the State as well as learned counsel for the informant opposes the prayer for anticipatory bail.

6. Having regard to the facts and circumstances of the case and the statement of victim under Section 164 Cr.P.C. let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, 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 the learned lower Court where the case is pending/successor Court in connection with Kalyanpur P.S. Case No. 205 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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