

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66092 of 2023

Arising Out of PS. Case No.-133 Year-2019 Thana- KANHAULI District- Sitamarhi

1. Sonelal Paswan Son Of Late Faguni Paswan Village Bharsar Ps Kanhauli, Dist- Sitamarhi
2. Sharda Devi Wife Of Sonelal Paswan Village Bharsar Ps Kanhauli, Dist- Sitamarhi
3. Chhotelal Paswan Son Of Late Faguni Paswan Village Bharsar Ps Kanhauli, Dist- Sitamarhi
4. Vigan Paswan Son Of Late Rudal Paswan Village Bharsar Ps Kanhauli, Dist- Sitamarhi

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Surendra Kishore Thakur

For the Opposite Party/s : Mr.Narendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 17-10-2023 At the outset, learned counsel for the petitioners seeks permission to make necessary corrections in paragraph no.

1 of the petition in course of the day.

2. Permission is accorded.

3. Heard learned counsel for the parties.

4. Petitioners apprehend arrest in a case registered for the offences punishable under Sections 363, 366A/34 of the Indian Penal Code and Under Section 8 of the POCSO Act.

5. As per the prosecution case, F.I.R. named accused persons including these petitioners kidnapped the minor



daughter of the informant for unlawful purpose.

4. Learned counsel for the petitioners submits that the petitioners have falsely been implicated in this case to a matter of love affair. There is general and omnibus allegations against these petitioners. It is further submitted that after investigation police submitted final report as mistake of facts but disagreeing with the final report cognizance has been taken by the Court below. It is further submitted that victim girl in her statement recorded under Section 164 Cr.P.C. has not supported the prosecution case but later on under the pressure of her parents filed a petition in the court below stating therein that her statement under Section 164 of the Cr.P.C. was under pressure and fear of accused persons. Petitioners claim clean antecedent.

5. Learned APP for the State vehemently opposed the prayer of bail.

6. Considering the facts and circumstances of the case, this anticipatory bail is allowed and it is ordered that let the above named petitioners in the event of arrest/surrender before the court below within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of Sub-Judge-V, Sitamarhi/concerned court below in



connection with Kanhauli P. S. Case No. 133 of 2019, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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