

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65328 of 2023

Arising Out of PS. Case No.-98 Year-2023 Thana- SONBERSHA RAJ District- Saharsa

1. Deepak Kumar Son Of Shailendra Sah @ Salan Sah Resident Of Village Dehad, Ward No. 3, Ps- Sonbarsa Raj, Dist- Saharsa
2. Nitish Kumar Son Of Sajjan Sah Resident Of Village Dehad, Ward No. 3, Ps- Sonbarsa Raj, Dist- Saharsa

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Rashmi Jha
For the Opposite Party/s : Md. Matloob Rab

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 04-12-2023 Heard learned counsel for the petitioners and learned
APP for the State.

The instant application for regular bail has been filed by the petitioners registered for the offence punishable under Sections 363 and 366(A) of the Indian Penal Code and Sections 8 and 12 of the POCSO Act.

Prosecution case relates to abduction of minor daughter, aged about 16 years, of the informant by the petitioners in connivance with other accused persons for the purpose of marriage.

Learned counsel appearing on behalf of the petitioners has submitted that petitioners are innocent and have committed no offence. There was love affair between the co-accused Bittu



Kumar and daughter of the informant. Victim was in talking term with him for last several years. Statement of the victim girl was recorded u/s 164 Cr.P.C. in which she has stated that out of her own sweet will, she had eloped with co-accused Bittu Kumar and solemnized marriage with him. She has not raised finger against any one for any offence. Petitioner has got no criminal antecedent and languishing in judicial custody since 26.06.2023.

Learned APP appearing for the State has opposed the prayer of Bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) each with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge VI-cum-Spl. Judge (POCSO), Saharsa in connection with Sonbarsa Raj P.S. Case No. 98 of 2023.

(Sunil Kumar Panwar, J)

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