

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72360 of 2023

Arising Out of PS. Case No.-137 Year-2023 Thana- ITARHI District- Buxar

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1. Rakesh Kumar Son Of Shivilal Resident Of Village-Dholas, Police Station-Balara In The District Of Sikkar (Rajsthan).
 2. Surendra Kumar @ Surendra Son Of Dungar Singh @ Dungar Singh Dungar Resident Of Village-Reweri Dhukiya, P.S.-Laxmangarh In The District Of Sikkar (Rajsthan).

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Kumar

For the Opposite Party/s : Mr.Navin Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 09-11-2023 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners have prayed for regular bail in a case instituted for the offence under Sections 363, 366(A), 370, 372, 120B and 420 of the Indian Penal Code and Section 8 of the POCSO Act.

3. As per prosecution case, two unknown miscreants are alleged to have kidnapped the minor daughter of the informant by enticing her for the purpose of selling.

4. It is submitted by learned counsel for the petitioners that petitioners have been falsely implicated in this case. They have committed no offence. Petitioners are not named in the FIR and the same has been lodged against unknown persons.



Petitioners have no concern with the alleged occurrence and nothing has been recovered from the conscious possession of these petitioners. Except suspicion, there is no cogent evidence has come against the petitioners to show their complicity in the alleged occurrence. Petitioners have got no criminal antecedent as stated in para-3 of the bail petition. They are languishing in judicial custody since 27.05.2023.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period of custody, 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 District and Sessions Judge-VI-cum-Spl. Sessions Judge, POCSO Court, Buxar/ concerned Court in connection with Itarhi P.S. Case No. 137 of 2023.

(Sunil Kumar Panwar, J)

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