

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72446 of 2023

Arising Out of PS. Case No.-69 Year-2023 Thana- MAHNAR District- Vaishali

1. Savita Devi W/O Kapildev Yadav @ Kapaldev Yadav @ Kapil Yadav R/O Village- Khijir Chak, P.S.- Teghara, Dist.- Begusarai
2. Rajesh Rai @ Rajesh Yadav Son Of Kapildev Yadav @ Kapaldev Yadav @ Kapil Yadav R/O Village- Khijir Chak, P.S.- Teghara, Dist.- Begusarai
3. Dhiraj Rai Son Of Kapildev Yadav @ Kapaldev Yadav @ Kapil Yadav R/O Village- Khijir Chak, P.S.- Teghara, Dist.- Begusarai
4. Niraj Rai @ Niraj Yadav Son Of Kapildev Yadv @ Kapaldev Yadav @ Kapil Yadav R/O Village- Khijir Chak, P.S.- Teghara, Dist.- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Kumar Singh, Advocate

For the Opposite Party/s : Mr.Brajendra Nath Pandey, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 10-11-2023 Learned counsel for the petitioners is permitted to remove the defect(s), as pointed out by the office, if any, within a period of three weeks from today.

2. Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

3. The petitioners are apprehending their arrest in connection with Mahanar P.S. Case No. 69 of 2023 dated 13.03.2023 registered for the offences punishable under Sections 363 and 366A of the Indian Penal Code and Sections 4 and 6 of the POCSO Act.



4. As per the prosecution case, the petitioners and the co-accused persons are alleged to have kidnapped the minor daughter of the informant.

5. Learned counsel for the petitioners has submitted that the petitioners have falsely been implicated in this case. The petitioners have no criminal antecedent as stated in para 3 of the bail petition. Learned counsel for the petitioner has further submitted that the victim was not forced to have illicit intercourse with another person. There is delay of 16 days in lodging the F.I.R. It is further submitted that petitioners are made accused in this case only because petitioner no.1 is mother and petitioner No. 2,3 and 4 are brothers of the co-accused Lalchan Kumar.

6. Learned A.P.P. for the State has vehemently opposed the prayer of anticipatory bail of the petitioners.

7. Considering the aforesaid facts and circumstances of the case, let the above named petitioners, in the event of their arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail-bond of Rs. 20,000/- (Rupees Twenty thousand) each with two sureties of the like amount each to the satisfaction of learned Court concerned, Vaishali at Hajipur in connection with Mahanar P.S. Case No. 69 of 2023, subject to conditions as laid down under



Section 438(2) of the Code of Criminal Procedure.

8. This application stands allowed.

(Chandra Prakash Singh, J)

atul/-

U		T	
---	--	---	--

