

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.76760 of 2023**

Arising Out of PS. Case No.-177 Year-2023 Thana- DUMRA District- Sitamarhi

1. Suresh Thakur S/O Late Rameshwar Thakur, resident of Village- Khottha, Ps. Belsand, Dist. Sitamarhi
2. Nitu Devi W/O Suresh Thakur resident of Village- Khottha, Ps. Belsand, Dist. Sitamarhi
3. Sunil Thakur S/O Nagendra Thakur resident of Village- Rasalpur, Ps. Dumra, Dist. Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Ashok Kumar Jha, Advocate  
For the Opposite Party/s : Mr. Harendra Prasad, APP

**CORAM: HONOURABLE MR. JUSTICE KHATIM REZA**  
**ORAL ORDER**

2      29-11-2023                      Heard learned counsel for the petitioners and learned  
A.P.P. for the State.

2. The petitioners apprehend arrest in connection with  
Dumra P.S. Case No. 177 of 2023 dated 03.04.2023 instituted  
for the offence punishable under Sections 363, 366A of the  
Indian Penal Code and Section 8 of the POCSO Act.

3. The allegation against the petitioners is that they  
have kidnapped the daughter of the informant. It is alleged that  
they would kill his daughter or compel her to indulge in the act  
of prostitution.

4. Learned counsel for the petitioners submits that the



petitioners are innocent and they have been falsely implicated in this case. It is further submitted that the petitioners are the father, mother and cousin of the main accused, namely, Pawan Kumar, who earlier went with the victim on 25.02.2023 and remained with her, and after settlement, the victim came with the informant to her house. Learned counsel for the petitioner submits that victim girl is major and she also lodged a complaint case bearing 757 of 2023 against the informant and her family members. Learned counsel for petitioners submits that victim girl has stated in the said complaint case that about one and half year ago, she eloped with Pawan. Thereafter she was beaten by her parents. Thereafter she came to Sitamarhi and performed the marriage with Pawan in Deokuli Temple and thereafter she is residing in a rented house with Pawan. Learned counsel for the petitioners submits that petitioners have no role in this incident. Nothing has been come against the petitioners. Lastly, it has been submitted that petitioners have no criminal antecedents.

5. Learned A.P.P. has opposed the prayer for anticipatory bail of the petitioners.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioners within a period



of six weeks from today, in connection with Dumra P.S. Case No. 177 of 2023, they shall be released on anticipatory bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned A.D.J. VI, Sitamarhi, subject to condition as laid down under Section 438(2) of the Cr.P.C.

**(Khatim Reza, J)**

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