

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.70563 of 2022**

Arising Out of PS. Case No.-144 Year-2021 Thana- PARIHAR District- Sitamarhi

Satya Narayan Thakur Son Of Ramlakhawan Thakur Resident Of Village-  
Sukki, Mushariniya, Ward No.-2, P.S.- Parihar, District- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Smiti Bharti, Advocate

For the Opposite Party/s : Mr. Sunil Kumar Pandey, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA**  
**ORAL ORDER**

2      28-04-2023                      Heard learned counsel appearing on behalf of the  
  
petitioner and learned Additional Public Prosecutor appearing  
  
on behalf of the State.

The accused/petitioner is named in the F.I.R. and  
apprehended his arrest in connection with Parihar P.S. Case  
No.144 of 2021 registered for the offences punishable under  
Sections 363, 366-A and 380/34 the Indian Penal Code and  
Section 8 of the Prevention of Children from Sexual Offences  
Act.

The allegation against the petitioner is to kidnap the  
minor daughter of the informant alongwith other co-accused  
persons/family members for the purpose of illicit  
intercourse/marriage. It is also alleged that cash of  
Rs.20,00,000/- (Rupees Twenty Lakhs) was looted by accused



persons from the house of the informant during the course of occurrence.

Learned counsel appearing on behalf of the petitioner submitted that fact of this case suggests that minor daughter of the informant was in love affairs with one Rahul Kumar, who is nephew of this petitioner. It is also submitted that implication is only for the reason that petitioner is family member of the main co-accused Rahul Kumar. It is further submitted that even statement of victim as recorded under Section 164 of the Cr.P.C. does not inspire any confidence rather it simply suggests that petitioner alongwith other five co-accused persons helped main accused person during the course of occurrence. It is submitted that same appears tutored by informant, who is none but the parent of alleged minor victim. It is also submitted that several co-accused persons facing similar allegation have already been granted anticipatory bail by one of the learned Co-ordinate Bench of this Court through Cr. Misc. No.2622 of 2022 vide order dated 02.08.2022. While concluding the argument it is submitted that petitioner is a man of clean antecedent.

Learned APP appearing on behalf of the State, opposes the prayer for bail.

In view of the facts and circumstances as mentioned



above as thrust of allegation as regard to kidnapping is available against co-accused Rahul Kumar and not against this petitioner, who is his uncle, the petitioner above named, in the event of his arrest or surrender before the Court below within a period of four weeks, be released on bail, on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge VI-cum-Special Judge (POCSO Act), Sitamarhi/concerned Court below where the case is pending in connection with Parihar P.S. Case No.144 of 2021 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

**(Chandra Shekhar Jha, J.)**

S.Tripathi/-

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