

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.76317 of 2023**

Arising Out of PS. Case No.-233 Year-2022 Thana- ADAPUR District- East Champaran

1. SAVITA DEVI W/O SHAMBHU PATEL R/O VILLAGE- SIRSIYA KHURD, P.S- ADAPUR, DISTT.- EAST CHAMPARAN.
2. SHAMBHU PATEL S/O LATE KANCHAN PATEL R/O VILLAGE- SIRSIYA KHURD, P.S- ADAPUR, DISTT.- EAST CHAMPARAN.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Abhishek Kumar, Adv.  
For the Opposite Party/s : Mr.Ram Sumiran Rai, APP.

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN**  
**ORAL ORDER**

2      05-12-2023              Heard learned counsel for the petitioners and learned  
A.P.P. for the State.

2. The petitioners apprehend their arrest in connection with Adapur P.S. Case No. 233 of 2022 registered for the offences punishable under Section 366(A) of the Indian Penal Code and Section 8 of the POCSO Act.

3. Allegedly, petitioners along with other accused persons are said to have kidnapped the informant's minor daughter.

4. It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no



offence. No such occurrence as alleged ever took place. Petitioners have been falsely implicated in this case due to ulterior motive. The allegation levelled against the petitioners is totally false and based on concocted facts. They have been made accused in the present case merely because they are parents of co-accused Gautam Patel. The real fact is that the informant's daughter went with co-accused Gautam Patel with her own sweet will. It is further submitted that both the informant's daughter and co-accused Gautam Patel have solemnized marriage and uploaded photographs on Facebook. Petitioners have no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State opposed the prayer for bail and submitted that there is serious allegation against the petitioners to kidnap the informant's daughter, who is still traceless.

6. Considering the facts and circumstances of case as well as nature of the offence, as the informant's minor daughter is still traceless, I am not inclined to enlarge the petitioners on bail. The prayer for bail of the petitioners is hereby rejected.

7. However, if the petitioners surrender before the



learned Court below within six weeks from today and seek regular bail, the learned Court below shall pass order on the same day in accordance with law without being prejudiced by this order considering the fact that there is no specific overt act against the petitioners.

(Anjani Kumar Sharan, J)

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