

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77538 of 2023

Arising Out of PS. Case No.-119 Year-2023 Thana- SARE District- Nalanda

1. ANIL KUMAR son of Yugal Kishor Prasad Village- Gilani Ps- SAre Dist- Nalanda
2. Sima Devi wife of Anil Kumar Village- Gilani Ps- SAre Dist- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashutosh Kumar, Adv.

For the Opposite Party/s : Mr.Shailendra Kumar Singh, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 07-12-2023 Heard learned counsel for the petitioners and learned APP
for the State.

2. The petitioners apprehend their arrest in connection with Sare P.S. Case No. 119 of 2023 registered for the offences punishable under Sections 376, 354(B), (C), 120(B), 506, 504, 34 of the Indian Penal Code and Sections 4, 6, 12 of the POSCO Act.

3. Allegedly, co-accused Abhishek Verma used to commit rape with the informant's minor daughter on the pretext of marriage and thereafter, upon being caught, he solemnized marriage with her forcefully in association of the petitioners.

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. The present case is totally related to *Pakadua Vivah*. There is case and counter case between the parties. The name of the petitioners have been transpired in the present case merely because they are parents of co-accused Abhishek Verma. They have no concern with the alleged occurrence. Petitioners have no criminal antecedent as mentioned in para-3 of this application.

5. Per contra, learned APP for the State vehemently opposing the bail petition submitted that the allegations levelled against the petitioners is serious in nature, hence they do not deserve anticipatory bail.

6. Considering the facts and circumstances of case, as the informant's daughter is minor, 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.

(Anjani Kumar Sharan, J)

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