

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81509 of 2023

Arising Out of PS. Case No.-200 Year-2023 Thana- KAHALGAON District- Bhagalpur

1. Nirmal Kumar Yadav @ Nirmal Kumar Son Of Tasildar Yadav R/O Village- Jagarnathpur, P.S.- Kahalgaon, Dist.- Bhagalpur
2. Punam Devi Wife Of Nirmal Kumar Yadav R/O Village- Jagarnathpur, P.S.- Kahalgaon, Dist.- Bhagalpur
3. Karishma Kumari D/O Nirmal Kumar Yadav R/O Village- Jagarnathpur, P.S.- Kahalgaon, Dist.- Bhagalpur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Syed Masleh Uddin Ashraf, Adv.
For the Opposite Party/s : Mr. Kalyan Shankar, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 21-12-2023 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 366(A), 504, 506/34 of the Indian Penal Code and u/s 8 of the POCSO Act, 2012.

3. As per the prosecution case, informant's minor daughter has been kidnapped or induced away for the purpose of marriage by Sanni Kumar with the help of the petitioners.

4. It is submitted by learned counsel for the petitioners that no such occurrence as alleged ever took place. Petitioners



have been falsely implicated in this case. As per the F.I.R., there is no specific overt act against the petitioners. There is specific allegation against the co-accused Sanni Kumar who has been granted regular bail on the basis of this fact that victim and co-accused Sanni Kumar have solemnized marriage. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. He further submits that petitioner no. 1 is the father, petitioner no. 2 is the mother and petitioner no. 3 is the sister of the co-accused Sanni Kumar. Petitioners have no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State opposed the prayer for bail.

6. Having regard to the facts and circumstances of the case, considering this fact the co-accused Sanni Kumar and victim have solemnized marriage, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned lower Court where the case is pending/successor Court in connection with Kahalgaon P.S. Case No. 200 of 2023, subject to the condition



as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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