

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8014 of 2024

Arising Out of PS. Case No.-883 Year-2022 Thana- BARACHATTI District- Gaya

1. Siba Kumar Son Of Pintu Sao R/O-Sindoor, P.S.-Mohanpur, Distt.-Gaya
2. Bhola Sao Son Of Badhan Saw R/O-Sindoor, P.S.-Mohanpur, Distt.-Gaya
3. Chhotu Sao Son Of Badhan Saw R/O-Sindoor, P.S.-Mohanpur, Distt.-Gaya
4. Sanjeet Sao Son Of Badhan Saw R/O-Sindoor, P.S.-Mohanpur, Distt.-Gaya

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioners	:	Mr. Gajendra Kumar Singh, Advocate
For the State	:	Ms. Usha Kumari No.1, Spl. P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 20-02-2024 Heard learned counsels for the parties.

2. The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 366A and 34 of the Indian Penal Code and Section 3(i)(r)(s)(w) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

3. As per prosecution case, these petitioners, along with other co-accused persons, kidnapped the minor daughter of the informant for the purpose of marriage.

4. It is submitted by learned counsel appearing on behalf of the petitioners that as a matter of fact, daughter of the informant and co-accused Budhan Sao solemnized marriage on 16.10.2022 according to Hindu rites and are living as husband



and wife and now a child has also born from of the said wedlock. It is further submitted that specific accusation of kidnapping is against co-accused Budhan Sao. Petitioners claim clean antecedents.

5. Learned Special Public Prosecutor for the State has vehemently opposed the prayer for grant of anticipatory bail.

6. Considering the aforesaid facts and circumstances, nature of accusation and clean antecedents of the petitioners, the prayer for grant of anticipatory bail to the petitioners is allowed.

7. Accordingly, in the event of arrest/surrender within a period of six weeks from today, let the above named petitioners be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge POCSO-cum-Additional Sessions Judge VII, Gaya, in connection with Barachati (Mohanpur) P.S. Case No.883 of 2022, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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