

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10690 of 2024

Arising Out of PS. Case No.-402 Year-2023 Thana- SIMRI BAKHTIYARPUR District-
Saharsa

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1. Amrendra Swarnkar @ Anthoni @ Amrendra Kumar Sah SON OF Late Birandra Prasad Sah @ Birendra Prasad Sah Village- Sultanganj, Ward No. 17, P.S.- Sultanganj, District- Bhagalpur, at present R/o Village- Balwahat, Ward No. 8, P.S.- Bakhtiyarpur, District- Saharsa
 2. Manorama Devi Wife Of Amrendra Swarnkar Village- Sultanganj, Ward No. 17, P.S.- Sultanganj, District- Bhagalpur, at present R/o Village- Balwahat, Ward No. 8, P.S.- Bakhtiyarpur, District- Saharsa

... .. Petitioner/s

Versus

1. The State of Bihar
2. MR. 'X' BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioners	:	Mr.Binod Murari Mishra, Advocate
For the State	:	Mr.Ram Priya Sharan Singh,APP
For the O.P.2	:	Mr.Dinkar Kumar, Advocate
		Mr.Ajit Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 01-05-2024 Heard learned counsel for the petitioners, learned A.P.P. for the State and learned counsel appearing on behalf of opposite party no. 2.

2. The petitioners apprehend their arrest in a case registered for the offence under Sections 363, 366(A) of the Indian Penal Code and Sections 8, 12 of the P.O.C.S.O. Act.

3. Learned counsel for the petitioners submits that petitioners are innocent and have been falsely implicated in this case due to dirty village politics. The victim (informant's daughter), in her statement recorded under Section 164 Cr.P.C.,



has specifically stated that no one has kidnapped her and out of her own sweet will, she went with son of petitioners to visit Varanasi. Petitioners claim clean antecedent.

4. Learned counsel for the State and opposite party no. 2 vehemently opposed prayer for anticipatory bail of petitioners.

5. Considering the statement of the victim recorded under Section 164 Cr.P.C. and clean antecedent of petitioners, let the above named petitioners, in the event of their arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Addl. Sessions Judge-VI cum Special Judge POCSO, Saharsa in connection with Simri Bakhtiyarpur P.S. Case No. 402 of 2023 (Special POCSO Case No. 57 of 2023), subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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