

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16565 of 2024

Arising Out of PS. Case No.-606 Year-2023 Thana- SAUR BAZAR District- Saharsa

1. Ravi Kumar Son of Suresh Yadav Resident of Village- Rahua, Ward no. 8, Police Camp Pastpar Rahua, P.S.- Saur Bazar, District- Saharsa
2. Guriya Kumari @ Kajal Kumari Wife of Ravi Kumar Resident of Village- Rahua, Ward no. 8, Police Camp Pastpar Rahua, P.S.- Saur Bazar, District- Saharsa
3. Suresh Yadav Son of Dipnarayan Yadav Dipo @ Dipnarayan Yadav Resident of Village- Rahua, Ward no. 8, Police Camp Pastpar Rahua, P.S.- Saur Bazar, District- Saharsa
4. Lalita Devi @ Laleeta Devi Wife of Suresh Yadav Resident of Village- Rahua, Ward no. 8, Police Camp Pastpar Rahua, P.S.- Saur Bazar, District- Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amarnath Jha, Adv.

For the Opposite Party/s : Mr. Narsingh Tanti, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 08-05-2024 Heard learned counsel appearing on behalf of the
petitioners and learned APP appearing for the State.

2. In this present case, the petitioners are apprehending their arrest in connection with Saur Bazar (Pastpar Police Camp) P.S. Case No. 606 of 2023, registered on 07.10.2023 for the offences under Sections 363, 365, 366(A) and 34 of the Indian Penal Code and Sections 6 & 8 of the POCSO Act.

3. As per prosecution case, the minor daughter of the informant was enticed away by co-accused Bhavi Kumar and

the petitioners who are his family members are alleged to have helped him in his illegal act.

4. Learned counsel appearing on behalf of the petitioners submits that petitioners are innocent and have been falsely implicated in the instant case. The petitioners have nothing to do with the alleged occurrence. Being the family members of the co-accused, Bhavi Kumar they have been made accused in this case. From the rejection order it appears, the daughter of the informant has solemnized marriage with the co-accused and she is stated to be aged about 17 years in the F.I.R. itself. So, she has taken a decision understanding all the consequences. Nothing has come on record showing connivance of the petitioners in this case who are parents, brother and sister-in-law of the co-accused. The petitioners are having clean criminal antecedent.

5. Learned A.P.P. appearing for the State opposes the submission made on behalf of the petitioners.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the vague nature of allegation against the petitioners without any specific material against them, let the petitioners, in the event of their arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail

bonds of Rs. 10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-VI-cum-Special Judge (POCSO) Saharsa/concerned court in connection with Saur Bazar (Pastpar Police Camp) P.S. Case No. 606 of 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and other following conditions:

- (i) One of the bailors will be a close relative of the petitioners.
- (ii) The petitioners will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(Arun Kumar Jha, J)

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