

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13163 of 2024

Arising Out of PS. Case No.-51 Year-2023 Thana- UPHARA District- Aurangabad

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1. DHANANJAY CHAUDHARY @ DHANANJAY KUMAR S/O DEVAN CHAUDHARY R/O VILLAGE- HAMID NAGAR, P.S- UPAHARA, DISTT.- AURANGABAD.
 2. SONU KUMAR S/O SATYANARAYAN CHAUDHARY R/O VILLAGE- HAMID NAGAR, P.S- UPAHARA, DISTT.- AURANGABAD.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Surendra Prasad Singh
For the Opposite Party/s :	Mr. Jharkhandi Upadhyay

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 18-03-2024 1. 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 offence punishable under Sections 341, 323, 504, 354A, 363 and 34 of the Indian Penal Code & Section 8 of the POCSO Act.

3. Learned counsel for the petitioners submits that petitioners are persons with clean antecedent and have been falsely implicated by the informant by concealing relevant facts. It is next submitted that the allegations as alleged in the F.I.R gives an impression that the minor daughter of the informant aged about 17 years was kidnapped by the petitioners and the



informant and her family members were assaulted. It is next submitted that petitioners and the informant live in the same courtyard and the alleged victim is own cousin sister of the petitioners but then an impression has been conveyed by the allegations that petitioners were strangers, who committed the occurrence. It is next submitted that a specific pleading has been given at para-5 and 7 of the anticipatory bail application that petitioners and the informant live in the same courtyard and the victim is cousin sister of both the accused persons.

4. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

5. Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned trial court where the case is pending/successor court in connection with Upahara P.S. Case No.51/2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

6. However, the informant would be at liberty to file



an application seeking cancellation of the anticipatory bail granted to the petitioners in the event if the informant and the petitioners are not related.

(Satyavrat Verma, J)

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