

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10781 of 2023

Arising Out of PS. Case No.-725 Year-2022 Thana- BANKA District- Banka

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1. Pappu Das @ Pappu Kumar Das Son of Chulhay Das R/O Village- Nimatand, P.S.- Banka, District- Banka
 2. Sablu Das @ Sablu Kumar Das Son of Chulhay Das R/O Village- Nimatand, P.S.- Banka, District- Banka
 3. Chulhay Das Son of Dillo Das R/O Village- Nimatand, P.S.- Banka, District- Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bijendra Kumar Singh, Advocate

For the Opposite Party/s : Mr. Suresh Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

5 13-02-2024 Learned counsel for the petitioners are permitted to remove the defect(s), as pointed out by the office, if any, within a period of three weeks from today.

2. Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

3. The petitioners are apprehending their arrest in connection with Banka P.S. Case No. 725 of 2022 dated 18.11.2022 registered for the offence punishable u/s 363, 366 (A)/ 34 of the Indian Penal Code and Section 12 of POCSO Act.

4. As per the prosecution case, the petitioners helped



the co-accused *Nandu Das* to kidnap the minor (12yrs.) daughter of the informant with the intention of marriage. The informant's daughter took jewellery worth Rs. 1,00,000/- and Rs. 30,000/-. There was love affairs between the petitioner and co-accused *Nandu Das*. The petitioner nos. 1 and 2 are brother of co-accused and petitioner no. 3 is the father of the co-accused.

5. Learned counsel for the petitioners have submitted that the petitioners have falsely been implicated in this case. The petitioners have no criminal antecedent as stated in para 3 of the bail petition.

6. Learned A.P.P. for the State has vehemently opposed the prayer of anticipatory bail of the petitioners.

7. Considering the aforesaid facts and circumstances of the case, let the above named petitioners, in the event of their arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail-bond of Rs. 20,000/- (Rupees Twenty thousand) each with two sureties of the like amount each to the satisfaction of learned Court concerned, Banka in connection with Banka P.S. Case No. 725 of 2022, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.



8. This application stands allowed.

(Chandra Prakash Singh, J)

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