

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22214 of 2024

Arising Out of PS. Case No.-216 Year-2023 Thana- PARIHAR District- Sitamarhi

1. Chandan Paswan

2. RAUSHAN PASWAN

Both SON OF RAJU PASWAN RESIDENT OF VILLAGE-
BARIYARPUR, PS AND DIST- SITAMARHI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Jha, Advocate

For the Opposite Party/s : Mr.Ram Anurag Singh, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

2 22-04-2024 1. Heard learned counsel for the petitioners as well as
learned APP for the State.

2. The petitioners seek bail in anticipation of their
arrest in a case registered for the offences punishable under
Sections 363, 366A of the Indian Penal Code, Section 8 of
Protection of Children from Sexual Offences Act.

3. The learned counsel for the petitioners submit that
petitioners are persons with clean antecedent and have been
falsely implicated in the instant case by the informant.

4. It is further submitted that victim has been
recovered and her statement was recorded under Section 161



Cr.P.C. wherein she has not supported the case of the prosecution, rather has stated that on account of an altercation with her mother she left for the house of her aunt (Bua). It is next submitted that the victim's statement was also recorded under Section 164 Cr.P.C. wherein she has disclosed the same fact as recorded in her statement under Section 161 Cr.P.C. It is next submitted that from perusal of the order impugned, it would manifest that the learned Additional Sessions Judge, VI-cum-Special Judge, POCSO at Sitamarhi, has also recorded that victim in her statement recorded under Section 164 Cr.P.C. has not supported the case of the prosecution.

5. The learned APP opposes the anticipatory bail application.

6. 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, are directed to be released on bail on their furnishing bail-bonds in the sum of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge, VI-cum-Special Judge, POCSO, Sitamarhi in connection with Parihar P.S. Case No.216 of 2023, subject to the conditions laid down



under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

(Satyavrat Verma, J)

Prakash Narayan

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