

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38759 of 2024

Arising Out of PS. Case No.-474 Year-2023 Thana- BARBIGHA District- Sheikhpura

1. Vishnudev Ram @ Niti Paswan Son of Late Ram Chandra Paswan Resident of Village - Baijnathpur, Post Office - Kazifattu Chak, Police Station - Barbigha, District - Sheikhpura.
2. Asha Kumari Wife of Vishnudev Ram @ Niti Paswan Resident of Village - Baijnathpur, Post Office - Kazifattu Chak, Police Station - Barbigha, District - Sheikhpura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioners : Mr. Bipin Kumar, Advocate
For the State : Mr. Dilip Kumar No. 1, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 29-07-2024 Heard learned counsels for the parties.

2. The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 363, 366A and 34 of the Indian Penal Code and Section 8 of the POCSO Act.

3. As per prosecution case, allegation against these petitioners is that they, along with other accused persons named in the F.I.R., kidnapped the minor daughter of informant for the purpose of marriage.

4. It is submitted by learned counsel appearing on behalf of the petitioners that specific accusation is against co-



accused Prushottam Kumar. As a matter of fact, Petitioner No. 1 is father and Petitioner No. 2 is mother of co-accused Prushottam Kumar and they have been made an accused in this case merely because they happen to be relatives of co-accused Prushottam Kumar. It is further submitted that the victim in her statement before the police has not assigned any role to these petitioners. Petitioners claim clean antecedents.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioners.

6. Considering the aforesaid facts and circumstances, nature of accusation and clean antecedents of the petitioners, the prayer for grant of anticipatory bail to the petitioners is allowed.

7. Accordingly, in the event of arrest/surrender within a period of six weeks from today, let the above named petitioners be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge-VI, Sheikhpura, in connection with Barbigha (Keoti O.P.) P.S. Case No. 474 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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