

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40902 of 2024

Arising Out of PS. Case No.-27 Year-2024 Thana- PAKRIDAYAL District- East Champaran

1. Ram Lal Sahani Son of Late Mahabir Sahani R/O Vill.- Pakarideyal, ward no.4, P.S.- Pakarideyal, Dist.- East Champaran
2. Raja Kumar Son of Dhrup Sahani R/O Vill.- Pakarideyal, ward no.4, P.S.- Pakarideyal, Dist.- East Champaran
3. Lalmati Devi Wife of Ram Lal Sahani R/O Vill.- Pakarideyal, ward no.4, P.S.- Pakarideyal, Dist.- East Champaran

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Chanda Devi Wife of Ram Jiwan Sahani R/O Vill.- Pakarideyal, ward no.4, P.S.- Pakarideyal, Dist.- East Champaran

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Shankar Shrivastava
For the Opposite Party/s : Mr. Binod Kumar

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 13-06-2024 Heard learned counsel appearing on behalf of

the parties.

2. The petitioners seeks bail in connection with

Pakaridayal P.S. Case No. 27 of 2024 registered for the

offence under Sections 363, 365, 366(A), 34 of the

I.P.C. and Section 4/8 of the POCSO Act.

3. The petitioners are named in the F.I.R. and

they are in custody since 06.04.2024.

4. The allegation against the petitioners is to



kidnap the minor daughter of the informant aged about 17 years for the purpose of making illicit intercourse/marriage.

5. Learned counsel appearing on behalf of the petitioners submitted that petitioners have falsely implicated in present case only being parents and co-villagers of the main co-accused Manish Kumar against whom maximum thrust of allegation is available. It is submitted that the main co-accused Manish Kumar is in jail. While concluding the argument, it is submitted that petitioners are of clean antecedent and moreover, investigation of this case is completed, for which charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

6. Learned APP opposes the prayer of bail.

7. In view of the aforesaid facts and submissions as implications against the petitioners appears *prima-facie* being parents and co-villagers of the main co-accused Manish Kumar, coupled with fact that



charge-sheet has already been submitted, accordingly,
let the petitioners, above named, are directed to be
released on bail in connection with Pakaridayal P.S. Case
No. 27 of 2024 on furnishing bail bond of Rs.10,000/-
(Rupees Ten Thousand) each with two sureties of the
like amount each to the satisfaction of learned 7th
Additional Sessions Judge cum Special Judge, POCSO
Act, Motihari, East Champaran, subject to the conditions
as mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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