

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40158 of 2024

Arising Out of PS. Case No.-194 Year-2023 Thana- KEWATI District- Darbhanga

1. Gaurav Kumar Paswan @ Gaurav Kumar Son Of Arun Kumar @ Arun Paswan Resident Of Village - Majhigama, P.S. - Keoti, District - Darbhanga
2. Abhay @ Abhay Kumar Paswan @ Abhay Kumar Son Of Arun Kumar @ Arun Paswan Resident Of Village - Majhigama, P.S. - Keoti, District - Darbhanga
3. Vikash @ Vikash Paswan @ Vikash Kumar Paswan Son Of Naresh Paswan Resident Of Village - Majhigama, P.S. - Keoti, District - Darbhanga

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pranav Kumar Jha

For the Opposite Party/s : Mr.Parmanand Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 31-07-2024 Heard learned counsel for the petitioners, informant and learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in a case registered for the offence punishable under Sections 366(A), 504, 506, 34 of the Indian Penal Code.

3. Petitioners are said to have kidnapped the minor daughter of the informant and committed rape.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. He submits that there is no specific overt act against the petitioners. He submits that there is general and omnibus allegation levelled against the petitioners. He submits that the



police after investigation has filed the final form against the petitioners but the learned court below took cognizance against them. He further submits that petitioners have no criminal antecedent as stated in para-3 of the bail application.

5. Learned APP for the State and informant oppose the prayer for bail submit that the learned court below took cognizance against the petitioners under POCSO Act, therefore, they do not deserve for anticipatory bail.

6. Considering the facts and circumstances of the case and the fact that the police after investigation filed the final form against the petitioners, let the above named petitioners in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Keoti P.S. Case No. 194 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

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(Anjani Kumar Sharan, J)

