

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50084 of 2024

Arising Out of PS. Case No.-117 Year-2023 Thana- BANGAWON District- Saharsa

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1. Chandan Paswan S/o Jawahar Paswan R/o Village-Marandi, P.S.-Morkahi, O.P-Amausi, District-Khagaria
 2. Bilekha Devi @ Binekha Devi W/o Chandan Paswan R/o Village-Marandi, P.S.-Morkahi, O.P-Amausi, District-Khagaria

... .. Petitioner/s

Versus

1. The State of Bihar
2. Girija Devi W/o Tejnarayan Sah R/o Village-Dighiya Mela Chawk, P.S.-Bangaon, District-Saharsa

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Deepak Kumar
For the Opposite Party/s : Mr. Brajendra Nath Pandey

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 28-08-2024 1. Heard learned Counsel for the petitioners and learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out of Bangaon Police Station Case No. 117 of 2023, dated 03.10.2023, disclosing offences under Sections 363/366-A/120-B of the Indian Penal Code and Section 12 of the Protection of Children from Sexual Offences Act .
3. The prosecution case, as per the First Information Report, is that on 19.09.2023, while, the minor daughter of the informant was returning home from her school, the co-accused Abhishek Kumar and Vishal Paswan kidnapped



her for the purpose of marriage. The co-accused persons had earlier also kidnapped the informant's daughter on 31.08.2023 and it was assured by the petitioners before the police that their son would not repeat it again, however, this time the petitioners, in connivance with the co-accused persons, kidnapped the minor daughter of the informant.

4. Learned counsel for the petitioners submits that the petitioners have falsely been implicated in the present case merely due to the fact that they happen to be the parents of co-accused Abhishek Kumar. He next submits that allegation against the petitioners is vague in nature as the informant has merely stated that in connivance with the co-accused persons, the daughter of the informant has been kidnapped by Abhishek Kumar and Vishal Paswan.
5. Regards being had to the submissions made on behalf of the parties and taking into consideration the fact that the petitioners are parents of co-accused Abhishek Kumar and specific allegation of kidnapping/abduction is upon co-accused Abhishek Kumar, I am inclined to grant the petitioners privilege of anticipatory bail.
6. This application is, accordingly, allowed.



7. Let the petitioners, above named, in the event of their arrest or surrender before the Court below within four weeks, be released 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 Sessions Judge-VI -cum- Special Judge, POCSO, Saharsa, in connection with Bangaon Police Station Case No. 117 of 2023, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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