

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48282 of 2024

Arising Out of PS. Case No.-497 Year-2023 Thana- PARBATTa District- Khagaria

1. Raju Tanti @ Raju Kumar, S/o- Ashok Tanti
 2. Badri Tanti, son of Khagesh Tanti
 3. Upendra Tanti, son of Khagesh Tanti
 4. Kanhaiya Lal Tanti @ Kanhaiya Lal @ Kanhaiya Tanti, son of Khagesh Tanti
 5. Avdhesh Kumar @ Avdesh Tanti, son of Khagesh Tanti
- All are residents of village- Diwakarkitta, PO- Pachrukhi, PS- Shahkund, District- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jagjit Roshan, Advocate
For the Opposite Party/s : Mrs.Pronoti Singh, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 20-11-2024 Heard learned counsel for the petitioners and learned
APP for the State.

2. In the present case, the petitioners are apprehending their arrest in connection with Parbatta P.S. Case No. 497 of 2023 registered for the alleged offences under Sections 366 (A)/34 of the Indian Penal Code.

3. As per prosecution case, co-accused Sandeep Kumar enticed away the minor daughter of the informant with encouragement from the petitioners.

4. The learned counsel for the petitioners submits that



the petitioners are innocent and have been falsely implicated in this case. The petitioner no.1 is brother and the petitioner nos. 2 to 5 are uncles of the co-accused Sandeep Kumar, respectively and they have no concern with the alleged occurrence. The FIR has been registered after inordinate delay of fifteen days without any explanation. It is also apparent from the FIR that the victim girl herself left her home and no role could be attributed to any of the petitioners. Moreover, there is only general and vague allegation against the petitioners and no overt act has been ascribed to the petitioners. It also appears that the victim girl was aged about 17 years 10 months at the time of occurrence and she was at the verge of attaining majority and she understood the consequences of her act. The petitioners are having clean antecedent.

5. Learned APP opposes the submission made on behalf of the petitioners.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering completely vague nature of allegation against the petitioners and further considering the strong possibility of false implication, let the petitioners above named, in the event of their arrest or surrender before the court concerned within a period of eight



weeks from today, 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 Sub-Divisional Judicial Magistrate, Khagaria, in connection with Parbatta P.S. Case No. 497 of 2023, subject to the conditions mentioned in Section 438(2) of the Cr.P.C. and the following conditions:

- (i) One of the bailors will be a close relative of the petitioners.
- (ii) The petitioners will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(Arun Kumar Jha, J)

V.K.Pandey/-

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