

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53293 of 2024

Arising Out of PS. Case No.-179 Year-2023 Thana- PIPRA District- East Champaran

-
1. Gudiya Khatoon W/o- Md. Anwar Moh- Gulab bag Raja Nagar Zero Mile Ps- Purnea Sadar Dist- Purnea
 2. Abdul Salam son of Abdul Kalam Village- Zero Mile Kabristan Hans Dah Gulab Bag Purnea Tola Ps- Purniya Sadar Dist- Purnia

... .. Petitioner/s

Versus

1. The State of Bihar
2. Naresh Mahto son of Late Jay Mahto Village Pipra Ps- Pipra Dist- East Champaran

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhishek Kumar
For the Opposite Party/s : Mr.Anuj Kumar Shrivastava

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 26-07-2024 Heard learned counsel for the parties.

2. The instant application for anticipatory bail has been filed by the petitioners apprehending their arrest in connection with Pipra P.S. Case no. 179 of 2023 instituted for the offence under Sections 363 and 366A of the Indian Penal Code and Section 8 of the POCSO Act.

3. Prosecution case relates to kidnapping of minor daughter of the informant by the petitioners along with other co-accused persons for illegal purpose.

4. Learned counsel appearing on behalf of the petitioners has submitted that petitioners are innocent and have



committed no offence. They have falsely been implicated in this case. No any specific overt act of commission of rape has been levelled against the petitioners rather the only allegation against them is that they assisted the co-accused persons in commission of wrong with the victim. Specific allegation of rape is against Deepak Kumar as per the statement of the victim recorded under Section 164 of the Cr.P.C. There is delay of seven months in lodging the FIR. Other co-accused persons have already been granted regular bail by this Court vide Annexure-2 series of this petition.

5. In contra, learned APP appearing for the State has opposed the prayer of bail of the petitioners.

6. Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioners on bail. The petitioners are directed to surrender in the Court below within a period of four weeks from today and in the event of their arrest or surrender in connection with Pipra P.S. Case no. 179 of 2023, they will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) each of them with two sureties of the like amount each to the satisfaction of learned 7th Additional Sessions Judge cum Special Judge, POCSO,



Motihari, East Champaran subject to the conditions as laid down
under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

Shubham/-

U		T	
---	--	---	--

