

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62083 of 2023

Arising Out of PS. Case No.-200 Year-2022 Thana- PALANWA District- East Champaran

1. ADITYA KUMAR SINGH @ ADITYA KUMAR @ MOHAN SON OF BUDHAN SINGH @ TRIPURARI SINGH VILL LAUKARIYA (LAUKARIA), PS- PALANWA, DIST- EAST CHAMPARAN
2. BUDHAN SINGH @ TRIPURARI SINGH SON OF MEDANI SINGH VILL LAUKARIYA (LAUKARIA), PS- PALANWA, DIST- EAST CHAMPARAN

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Singh, Advocate.
For the Opposite Party/s : Mr.Prem Kumar Jha, APP.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

3 27-02-2024 Heard Mr. Ajay Kumar Singh, learned counsel appearing on behalf of the petitioners and Mr. Prem Kumar Jha, learned APP for the State.

2. The petitioners seek pre-arrest bail in connection with Palanwa P.S. Case No. 200 of 2022 registered for the offence punishable under Sections 363A, 366A and 506/34 of the Indian Penal Code and Section 8 of the POCSO Act.

3. As per the allegation made in the F.I.R., the informant has alleged that his 12 years old minor daughter was kidnapped by the accused persons named therein.

4. Learned counsel appearing on behalf of the petitioners submitted that the daughter of the informant was recovered from Nepal and her statement under Section 164 Cr.P.C. was recorded wherein she has not alleged anything



against the petitioners. Petitioner no.1 is the brother and petitioner no.2 is the father of the main accused Suraj Kumar Singh. The allegation levelled against the petitioners is general and omnibus.

5. Learned APP for the State has vehemently opposed the prayer for grant of pre-arrest bail to the petitioners.

6. Having considered the rival submission made on behalf of the parties and the statement of the victim recorded under Section 164 Cr.P.C. wherein she has not alleged any allegation against the petitioners, the petitioners, above named, are directed to be released on pre-arrest bail, in the event of their arrest or surrender before the Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (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, East Champaran, Motihari in connection with Palanwa P.S. Case No. 200 of 2022, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

7. The bail application stands disposed of.

(Purnendu Singh, J)

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