

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71847 of 2023

Arising Out of PS. Case No.-257 Year-2021 Thana- HARSIDHI District- East Champaran

1. Karan Kumar S/O Sukan Sahani Resident Of Village- Sonbarsa, P.S.- Harsidhi, District- East Champaran
2. Kabir Kumar Son Of Dosai Sahani Resident Of Village- Sonbarsa, P.S.- Harsidhi, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kundan Rathore@ Kundan Kumar, Advocate
For the Opposite Party/s : Mr. Sangeeta Sharma, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

3 27-02-2024 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend arrest in connection with Harsidhi P.S. Case No. 257 of 2021 dated 02.07.2021 instituted for the offence punishable under Sections 363, 366, 354/34 of the Indian Penal Code.

3. The prosecution case, in short, is that on 02.07.2021 at about 1 am, petitioners along with his neighbour, namely, Sonu Kumar @ Sonu Shushant, armed with weapon, entered the house of the informant. Petitioners and co-accused tried to outrage his daughter's modesty. It is alleged that thereafter, they took away his daughter from his house.

4. Learned counsel for the petitioners submits that the



petitioners are innocent and they have been falsely implicated in this case. It is further submitted that there is specific allegation against the co-accused, namely, Sonu Kumar. Learned counsel for the petitioners submits that the victim, in her statement recorded under Section 164 Cr.P.C., has nowhere whispered about involvement of the petitioners, rather she has made specific allegation against Sonu Kumar. At the time of statement recorded under Section 164 Cr.P.C., the age of the victim girl is approx 18-19 years. Lastly, it has been submitted that petitioners have no criminal antecedents.

5. Learned A.P.P. has opposed the prayer for anticipatory bail of the petitioners.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioners within a period of six weeks from today, in connection with Harshidi P.S. Case No. 257 of 2021, they will be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, East Champaran, Motihari subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Khatim Reza, J)

premchand/-

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

