

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83718 of 2023

Arising Out of PS. Case No.-284 Year-2022 Thana- SIKARPUR District- West Champaran

1. Sairun Nesha @ Sehrun Nesha W/O Late Harun Miyan R/O Village-Diuliya, Ward No. 6, P.S- Shikarpur, Distt.- West Champaran.
2. Sahebjadi Jan @ Sahebjadi Khatun D/O Late Harun Miyan R/O Village-Diuliya, Ward No. 6, P.S- Shikarpur, Distt.- West Champaran.
3. Sohail Khan @ Heera Khan @ Heera Miyan S/O Najir Khan R/O Village-Diuliya, P.S- Shikarpur, Distt.- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey

For the Opposite Party/s : Mr.Aditya Narayan Singh.1

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 09-01-2024 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners apprehend their arrest in a case in connection with Shikarpur P.S. Case No. 284 of 2022, registered for the offences punishable under Sections 363, 366A, 34 of the Indian Penal Code and under Sections 8 & 12 of the POCSO Act.

3. As per F.I.R., allegation against the petitioners are of abducting the informant's daughter and threatened her to kill.



4. It is submitted by learned counsel for the petitioners that the petitioners have falsely been implicated in the present case. Petitioners no. 1 and 2 have got one criminal antecedent in which they are on bail whereas petitioner no. 3 has no criminal antecedent mentioned in Para 3 of the bail application. He further submits that earlier the petitioner no. 1 has lodged a case against son of the informant and co-accused Rishavdev Kumar has also lodged Shikarpur P.S. Case No. 610/2021 against the son of the informant because he is a habitual thief.

5. Learned APP for the State has opposes the prayer for bail and submits that victim is a minor girl.

6. Considering the submissions of the parties and nature of offence, I am not inclined to grant anticipatory bail to the petitioner no. 3.

7. Hence, his prayer for anticipatory bail stands rejected.

8. Having regard to the facts and circumstances of the case and also petitioners no. 1 & 2 is a female, let the above named petitioners no. 1 & 2, be released on bail, in the event of their arrest, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of learned Court below where



the case is pending/ successor Court in connection with
Shikarpur P.S. Case No. 284 of 2022, subject to the condition as
laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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