

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82860 of 2023

Arising Out of PS. Case No.-296 Year-2023 Thana- RAJPUR District- Buxar

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1. RAJ KUMAR @ RAJ KUMAR RAJBHAR SON OF LATE JAGARNATH RAI R/O VILLAGE- PALIYA, P.S.- DILDAR NAGAR, DIST.- GHAZIPUR (UTTAR PRADESH) IN FIR PETITIONER VILLAGE WRONGLY WRITTEN GAJRAHI
 2. SHRI MOHAN @ SHRI MOHAN RAI SON OF SATIRAM R/O VILLAGE- GAJARAHI, P.S.- DILDAR NAGAR, DIST.- GHAZIPUR (UTTAR PRADESH)

... .. PETITIONER/S

VERSUS

1. THE STATE OF BIHAR
2. HARENDRA KUMAR RAI SON OF LATE DHARAMDEO RAI R/O VILLAGE- NAWAR (SOURI), P.S.- RAJPUR, DIST.- BUXAR

... .. OPPOSITE PARTY/S

Appearance :

For the Petitioner/s : Mr. Anil Kumar Roy
For the Opposite Party/s : Mr. Pradeep Narain Kumar

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 18-01-2024 Heard learned counsel for the petitioners and the State.

2. Petitioners apprehend arrest in a case registered for the offence punishable under sections 363 , 366A and 34 of the Indian Penal Code and 12 of POCSO Act.

3. As per the prosecution case, co-accused Jai Shankar Rai has kidnapped the minor daughter of the informant.

4. It is submitted on behalf of the petitioners that specific accusation of kidnapping the minor daughter of the informant is against co-accused Jai Shankar Rai. So far as these



petitioners are concerned, they have falsely been implicated in this case merely because petitioner No. 1 happens to be the uncle and petitioner No. 2 is the father of the co-accused Jai Shankar Rai. In fact, these petitioners have no concern with the alleged incident. Petitioners claim clean antecedent.

5. Learned counsel for the State opposes the bail petition of the petitioners.

6. Considering the aforesaid facts and circumstances of the case, in the event of arrest or surrender within six weeks from today, let the petitioners, as named above, be enlarged 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 the learned Additional District and Sessions Judge VIth Cum Special Judge POCSOAct, Buxar connection with Rajpur P.S. case No. 296 of 2023 , subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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