

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86666 of 2023

Arising Out of PS. Case No.-151 Year-2023 Thana- SHAMBHUGANJ District- Banka

1. SUNITA DEVI W/O- UPENDRA SHARMA R/O- VILLAGE- KARSOP,
P.S.- SHAMBHUGANJ, DIST.- BANKA
2. UPENDRA SHARMA S/O- DHIBU TANTI R/O- VILLAGE- KARSOP,
P.S.- SHAMBHUGANJ, DIST.- BANKA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Praveen Kumar

For the Opposite Party/s : Mr.Jagdhari Prasad

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA

ORAL ORDER

2 24-01-2024

1. Heard the parties.

2. The petitioners apprehend their arrest in connection with Shambhuganj P.S. Case No. 151 of 2023 dated 09-06-2023 registered under Sections 366(A)/34 of the I.P.C. subsequently Section 8 of the POCSO Act was added.

3. As per the First Information Report the son of the petitioners namely Sunny Kumar kidnapped the minor daughter of the informant for the purpose of marriage.

4. Learned counsel for the petitioners submits that petitioners happen to be the parents of the co-accused / Sunny Kumar, who was having love relationship with the victim. The victim girl was recovered and her statement under Section 161 & 164 of the Cr.P.C. was recorded in which she has stated that



the co-accused / Sunny Kumar was known to her for the last three years and she went with Sunny Kumar to Patna and married with him in a temple and living as husband and wife.

5. Regard being had to the submissions made by the parties, taking into consideration the fact that petitioners have been made accused on the basis of their being the parents of the co-accused / Sunny Kumar and in the statement recorded under Section 164 & 161 Cr.P.C. the victim has not told anything against the petitioners, as such, I am inclined to grant anticipatory bail to the petitioners.

6. Let the petitioners, above named, be released on anticipatory bail in the event of arrest or surrender before the court below within a period of four weeks from today on furnishing bail bond of Rs. 10000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of Addl. Sessions Judge -6 -cum- Spl. Judge, POCSO, Banka in connection with Shambhuganj P.S. Case No. 151 of 2023 subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

praful/-

(Anil Kumar Sinha, J)

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