

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6568 of 2024

Arising Out of PS. Case No.-281 Year-2023 Thana- ADAPUR District- East Champaran

Anil Sah @ Anil Kumar S/O SATYA NARAYAN SAH VILLAGE-
BAKHARI, PS. ADAPUR, DIST. EAST CHAMPARAN, MOTIHARI.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Kumar, Advocate

For the Opposite Party/s : Ms. Usha Kumari 1, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

4 21-06-2024 Heard the parties.

2. The petitioner is an accused in connection with Adapur P.S. Case No. 281 of 2023 for the offence registered under sections 363, 366A, 504 and 34 of the Indian Penal Code, section 8 of the POCSO Act and sections 3(1)(r)(s) and 3(2)(va) of the SC/ST Act lodged on 19.09.2023 by the informant, Lalan Paswan.

3. As per the prosecution story, the allegation is that the victim girl had gone to college for admission but was picked up by Munna Sah and other accused persons who fled with her. Accordingly, the F.I.R.

4. In this case, a co-ordinate bench had called for the case diary and as per it, according to the information, the Munna Sah and the girl have been living somewhere in the Tamilnadu as the photographs have surfaced.



5. Learned Counsel for the petitioner submits that main allegation is against Munna Sah and the petitioner is family member. He further submits that the some of the similar situate accused persons have since been extended the benefit of anticipatory bail in Cr. Misc. No. 3010 of 2024 on 09.04.2024 (Anisha Kumari & Ors. vs State).

6. Let the same be kept on record.

7. Learned APP for the State, on the other hand, opposes the prayer for bail.

8. Taking into account the aforesaid facts as also that the petitioner do not have criminal antecedent and he is in custody since 17.10.2023 (paragraph-6 to the petition), this Court is inclined to extend him privilege of bail.

9. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousands only) with two sureties of like amount each to the satisfaction of the learned Court of 7th Additional Sessions Judge cum Special Judge POCSO, Motihari, East Champaran in connection with Aadapur P.S. Case No. 281 of 2023, subject to the following conditions:-

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his *bona fide*;

(ii) the petitioner shall appear on each and every date



before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/her bail bond by the Trial court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of his bail bonds;

(v) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Rajiv Roy, J)

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