

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17278 of 2025

Arising Out of PS. Case No.-191 Year-2023 Thana- BELHAR District- Banka

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1. Ranjan Kumar S/o- Khiro Turi Resident of village- Bichchibahiyar Ps- Belhar District- Banka
 2. Ramesh Kumar @ Rakesh Kumar S/o- Khiro Turi Resident of village- Bichchibahiyar Ps- Belhar District- Banka

... .. Petitioner/s

Versus

1. The State of Bihar
2. Mahendra Turi S/o- Late Sukdev Turi Resident of village- Bichchibahiyar Ps- Belhar District- Banka

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Sudhir Kumar Mishra, Advocate
For the State	:	Md. Aslam Ansari, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 02-04-2025 Heard Mr. Sudhir Kumar Mishra, learned counsel for the petitioners as well as Md. Aslam Ansari, learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Belhar P.S. Case No. 191 of 2023, F.I.R. dated 06.05.2023 corresponding to G.R. No. 1505 of 2023 for the offences punishable under Sections 366(A)/34 of the IPC and Section 8 of the POCSO Act.

3. According to prosecution case, all the FIR named accused persons kidnapped the informant's minor daughter with the intention to marry her.



4. Learned counsel for the petitioners submits that petitioners have clean antecedent and they have falsely been implicated in the present case. He further submits that although the petitioners are not named in the FIR, name of the petitioners transpired during the investigation on the basis of statement of victim which was recorded under Section 164 of the Cr.P.C./ 183 of the BNSS, 2023, in which she has stated that one co-accused, namely, Tiger Kumar Turi @ Tiger Kumar has abducted her and forcefully took her to Bangalore. As per allegation in the FIR, the victim was minor. It is further submitted that co-accused namely, Tiger Kumar Turi @ Tiger Kumar against whom there is specific allegation that he has abducted the informant, has been granted anticipatory bail by a co-ordinate Bench of this Court vide order dated 09.04.2024 passed in Cr. Misc. No. 6070 of 2024 and similarly situated co-accused person namely, Manish Kumar @ Manish Turi has been granted anticipatory bail by a co-ordinate Bench of this Court vide order dated 20.07.2024 in Cr. Misc. No.29381 of 2024. The case of the petitioner falls in the category of co-accused Manish Kumar @ Manish Turi.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioners.



6. Considering the aforesaid facts and circumstances, clean antecedent of the petitioners and the fact that victim has not stated anything about the sexual assault against her and similarly situated co-accused persons, namely, Tiger Kumar Turi @ Tiger Kumar and Manish Kumar @ Manish Turi have been granted anticipatory bail by a co-ordinate Bench of this Court, let the petitioners, above named, in the event of arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released 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 Judge-VI-cum-Special POCSO Judge, Banka in connection with Belhar P.S. Case No. 191 of 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/ 482(2) of the BNSS, 2023 and with other following conditions:-

i. Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

ii. If the petitioners tampers with the evidence or the



witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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