

Arising Out of PS. Case No.-222 Year-2018 Thana- Hathiyav District- Sheikhpura

... .. Petitioner/s

1. The State of Bihar
2. Ramashis Yadav S/o Late Jagdish Yadav R/o Vill.- Bihita, P.S.- Hathiyawa, Distt.- Sheikhpura

... .. Opposite Party/s

For the Petitioner/s : Mr. Sheo Nandan Prasad
For the Opposite Party/s : Mr. Shyam Kumar Singh

ORAL ORDER

2. The petitioners apprehend their arrest for the alleged under Sections 363, 366/34 and 376 of the Criminal Code and Section 4 of the POCSO Act, registered in with Sheikhpura (Hathiyawa) P.S.Case No. 222 of

3. As per allegation, the petitioners, in cahoots with their other accomplices, enticed away the daughter of the informant for the purpose of marriage.



4. The learned counsel for the petitioners has submitted that the petitioners are innocent having clean background and have falsely been implicated. It is further submitted that the allegation is against co-accused Deepak, Guddu and Jitu.

5. The victim in her statement under Section 164 of the CrPC has stated that co-accused Deepak, Guddu and Jitu caught hold her and they forced themselves upon her. So far as petitioner nos. 1, 2 and 4 are concerned, the victim did not name them in her statement. So far as the petitioner no.3 Prince Kumar @ Guddu Yadav is concerned, the victim has named in her statement under Section 164 of the CrPC along with other co-accused persons.

6. Considering the above facts and circumstances, **let the petitioner nos. 1, 2 and 4 above-named, in the event of their arrest or surrender within four weeks from the date of communication of this 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 learned District and Additional Sessions Judge-cum-Exclusive Special Judge (POCSO), Sheikhpura in connection with Sheikhpura (Hathiyawa) P.S.Case No. 222 of 2018, subject to**



the conditions as laid down under Section 438(2) of the CrPC/482(2) of the BNSS.

7. In view of the direct allegation against petitioner no.3 Prince Kumar @ Guddu Yadav, this Court is not inclined to exercise its discretion in his favour, against whom the victim has vividly stated his role in the entire episode, bringing disrepute/disgrace to the victim. Accordingly, **the prayer for anticipatory bail on behalf of petitioner no.3 Prince Kumar @ Guddu Yadav is rejected.**

(Nawneet Kumar Pandey, J)

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