

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.90264 of 2024

Arising Out of PS. Case No.-392 Year-2024 Thana- RAJAON District- Banka

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1. Sargun Das, Son of Late Lelhu Das, Resident of Village - Mohna, P.S. - Rajoun, District - Banka
 2. Parshuram Das, Son of Sargun Das, Resident of Village - Mohna, P.S. - Rajoun, District - Banka

... .. Petitioner/s

Versus

1. The State of Bihar
2. Bipin Das Son of Late Adhiklal Das Resident of Village - Mohna, P.S. - Rajoun, District - Banka

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Praveen Kumar, Advocate
For the Opposite Party/s : Mr.Amitesh Kumar, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

3 19-04-2025 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend arrest in connection with Rajoun P.S. Case No. 392 of 2024 dated 19.08.2024 instituted for the offence punishable under Sections 126(2), 115(2), 352, 351(2), 64, 3(5) of Bhartiya Nyaya Sanhita, 2023 and Section 4 of POCSO Act.

3. The prosecution case, in short, is that co-accused, Kundan Kumar used to sexual exploit the informant's minor daughter for the last two years on the pretext of marriage. It is further stated that on 15.08.2024 at about 8.30 am, the informant



went to the house of Kundan Kumar to complain about the said incident, then the petitioners abused and assaulted the informant and also threatened him with dire consequences.

4. Learned counsel for the petitioners submits that the petitioners are innocent and they have been falsely implicated in this case. It is further submitted that the F.I.R. has been lodged on 19.08.2024 and the statement of the victim recorded under section 183 of B.N.S.S. on 20.08.2024. There is no whisper against the petitioner in her statement. The petitioners have been made accused only on the basis they being the father and brother of the main accused. The said Kundan Kumar is in judicial custody. Lastly, it has been submitted that petitioners have no criminal antecedents.

5. On the other hand, learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioners.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioners within a period of six weeks from today, in connection with Rajoun P.S. Case No. 392 of 2024, they will be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned



Additional Sessions Judge- 6 -cum- Special Judge, POCSO,
Banka subject to condition as laid down under Section 438(2) of
the Cr.P.C.

(Khatim Reza, J)

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