

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74044 of 2024

Arising Out of PS. Case No.-1 Year-2022 Thana- MADHEPURA COMPALINT CASE
District- Madhepura

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1. Diwakar Sah @ Vikash Sah @ Diwakar Kumar Dinkar Son of Hemendra Sah @ Hemendra Kumar Sah Resident of Village- Kupari, Ward No. 14, P.S.- Kumarkhand (Bhatni O.P.), Distt.- Madhepura
 2. Sujit Kumar Son of Hemendra Sah @ Hemendra Kumar Sah Resident of Village- Kupari, Ward No. 14, P.S.- Kumarkhand (Bhatni O.P.), Distt.- Madhepura
 3. Kanchan Devi Wife of Diwakar Sah @ Vikash Sah @ Diwakar Kumar Dinkar Resident of Village- Kupari, Ward No. 14, P.S.- Kumarkhand (Bhatni O.P.), Distt.- Madhepura

... .. Petitioner/s

Versus

1. The State of Bihar
2. Santosh Kumar Sah Son of Upendra Sah Resident of Village- Ward No. 12, Village- Bishunpur Sundar, P.S.- Kumarkhand (Bhatni O.P.), Distt.- Madhepura

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Uday Chand Prasad
For the Opposite Party/s : Mr.Shyam Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

3 09-02-2026 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioners apprehend their arrest in
connection with POCSO Complaint Case No. 01 of 2022
registered for the offence under Sections 323, 363, 379 of the
Indian Penal Code and under Section 8 of the POCSO Act.

3. As per the prosecution case, a nine year old girl
has been molested by the accused persons.



4. Learned counsel for the petitioners, at the very outset, submits that the main allegation is against petitioner no. 01 and therefore he prays for withdrawal of the same.

5. In view of the above, this application is dismissed as withdrawn with regard to petitioner no. 1. So far as petitioner nos. 2 and 3 are concerned there is no direct allegation against them and therefore, this application is allowed with regard to the petitioner no. 2 and 3.

6. Let the petitioner nos. 2 and 3, above named, in the event of their arrest, be released on anticipatory bail upon furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the jurisdictional investigating officer in connection with POCSO Madhepura Complaint Case No. 01 of 2022, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973 / Section 482 of the BNSS.

7. Accordingly, this application for anticipatory bail is dismissed with regard to petitioner no. 1 and allowed with regard to petitioner nos. 2 and 3.

(Sandeep Kumar, J)

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