

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31689 of 2015

Arising Out of PS.Case No. -144 Year- 2015 Thana -MAJHAULIA District-
WESTCHAMPARAN(BETTIAH)

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1. Raheem Miyan S/o Suleman Miyan Resident of Village Rulahi, P.S.
Manjhaulia, District West Champaran (Bettiah).

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajeev Lochan

For the Opposite Party/s : Mr. Gopesh Kumar(App)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

3 04-11-2015 Heard the learned counsel for the petitioner as well as

the learned A.P.P.

The petitioner seeks bail in a case for the offences
punishable under sections 363, 365, 366 (A) and 34 of the I.P.C
and section 8 of POCSO Act, 2012.

Aanchal Kumari, the minor daughter of the informant,
became traceless since 04.04.2015 when she had gone to attend
the call of nature and thereafter the informant was informed that
his daughter is at Bettiah Railway Station and 4-5 boys are moving
here and there and then the informant went there where the victim
stated the name of the petitioner and others.

Submission is of false implication and that earlier for



the occurrence of 04.04.2015 no case was registered and the written report had been submitted on 09.04.2015 after much delay. Thereafter statement of the victim girl has been recorded on 10.04.2015 wherein though she has stated regarding her kidnapping by the petitioner and others but has not stated regarding any sexual harassment and further she has stated that she was left at Gorakhpur which is quite contradictory from the statement of the informant and the petitioner is suffering in custody since 23.04.2015 having no criminal antecedent.

The learned A.P.P. fairly submits that there is contradiction as the victim is stating that she was released at Gorakhpur, whereas, the informant states that she was at Bettiah Railway Station.

In the facts and circumstances as stated above, the petitioner is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of 1st Additional Sessions Judge- Cum- Special Judge, West Champaran, Bettiah in Majhulia P.S. Case No. 144 of 2015, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and

every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

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