

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51869 of 2018

Arising Out of PS.Case No. -157 Year- 2018 Thana -MUFFASIL District-
WESTCHAMPARAN(BETTIAH)

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Badal Tadav, son of Sipahi Yadav, resident of village-Piunibagh, P.S.-
Bettiah Town, District-West Champaran

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Brij Kishor Mishra

For the Opposite Party/s : Smt. Veena Rani Prasadd.

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 08-10-2018 Heard the learned counsel for the petitioner and the

learned A.P.P. for the State.

This is an application for grant of anticipatory bail in connection with Bettiah Muffasil P.S. Case No. 157 of 2018 registered for the offence punishable under Sections 363, 366(A)/34 of the Indian Penal Code and Section 8 of the POCSO Act.

The allegation against the accused persons is regarding the daughter of the informant being kidnapped and having been taken away.

The learned counsel for the petitioner has submitted that though the name of the petitioner has been mentioned in the FIR but a bare perusal of the statement of the so called victim girl made under Section 164 of the Cr.P.C. before the Judicial



Magistrate, 1st Class, West Champaran at Bettiah shows that three persons, namely, Dipu, Deepak and Golu Yadav had kidnapped the victim girl, however, the name of the petitioner has not been taken by the victim girl, hence it is submitted that the petitioner has been falsely implicated in the present case. It is further submitted that the petitioner is having a clean antecedent.

Having regard to the facts and circumstances of the case, I deem it fit and proper to enlarge the petitioner, above named, in the event of his arrest or surrender before the court below within a period of four weeks from today, on anticipatory bail, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned A.D.J., 1st-cum-Special Judge, Bettiah, District-West Champaran in connection with Bettiah Muffasil P.S. Case No. 157 of 2018 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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