

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9322 of 2019**

Arising Out of PS. Case No.-152 Year-2018 Thana- BIDUPUR District- Vaishali

SURAJ SAH son of Deo Sah, resident of village Nanhakchak, P.S.
BIDUPUR, DIST- VAISHALI

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sabal Kumar Jha

For the Opposite Party/s : Mr.Sanjay Kumar Tiwary

**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER**

3 15-04-2019 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner seeks bail in a case registered under
Sections 366A/34 of the Indian Penal Code and Section-8 of
the POCSO Act.

The prosecution case in brief is that the informant's
daughter was kidnapped by the accused persons.

It has been submitted on behalf of the petitioner that the
petitioner has got no criminal antecedent. There is no allegation
of tampering of witnesses alleged against the petitioner. The
petitioner is in custody since 03-08-2018. Charge sheet has
already been submitted. The date of occurrence is said to be 21-
05-2018. The case was instituted on 26-05-2018. The delay in
lodging the FIR has not been explained by the prosecution.



There was love affairs between the victim and the petitioner. The victim had left home with her own sweet will. While the victim was travelling with the petitioner, at no point of time, she made any protest. Later on, when she came in custody of her parents, under inducement, she made statement under Section 164 of the Cr.P.C. .

On behalf of the State, it is submitted that the petitioner is named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-XIV, Vaishali at Hajipur in connection with Bidupur P.S. Case No. 152 of 2018.

(Sudhir Singh, J)

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