

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46360 of 2019

Arising Out of PS. Case No.-7 Year-2017 Thana- VAISALI COMPLAINT CASE District-
Vaishali

=====

RATNESH KUMAR S/o Late Shiv Balak Choudhary R/o village- Daulatpur
Devaria, P.S.- Hajipur Sadar, District- Vaishali

... .. Petitioner/s

Versus

1. The State of Bihar
2. Shyam Narain Choudhary S/o Late Jagarnath Choudhary R/o village-
Daulatpur Devaria, P.S.- Hajipur Sadar, District- Vaishali

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar

For the Opposite Party/s : Mr.Ashok Kumar

=====

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

6 18-11-2019 Pursuant to the order dated 22.10.2019 both the petitioner
and victim girl are personally present in Court.

Petitioner seeks bail in anticipation of his arrest in
connection with Complaint Case No. 7 of 2017 instituted for the
offences punishable under Sections 366A, 376/34 of the Indian Penal
Code and Sections 4, 6, 8, 10, 12 and 18 of POCSO Act.

Allegation against the petitioner is of kidnapping of minor
daughter of the complainant.

Submission of learned counsel for the petitioner is that she
is now residing with the petitioner having a baby in her lap.

The victim girl has stated in Court that she is ready to
reside with the petitioner and now she is residing with him.

On the other hand, learned counsel for the complainant



opposite party No.2 has opposed the prayer on the ground that she was minor at the time of occurrence.

No doubt, FIR complaint petition shows that she was minor at the time of occurrence but considering the fact that she has a baby in her lap and she has stated without any fear that she wants to reside with the petitioner.

In view of above facts and circumstances, let petitioner surrender within a period of three weeks from receipt of this order in the court below and on surrender he will be released on bail on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the Additional Sessions Judge-I-cum-Special Judge, POCSO act, Vaishali at Hajipur, in connection with Complaint Case No. 7 of 2017, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. and further condition is that one of the bailors of the petitioner shall be a local person having sufficient immoveable property within the jurisdiction of the court concerned and further condition that petitioner has to appear in court as and when required and co-operate in disposal of complaint case.

(Vinod Kumar Sinha, J)

spal/-

U		T	
---	--	---	--

