

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8473 of 2020

Arising Out of PS. Case No.-228 Year-2019 Thana- RAXAUL District- East Champaran

SAHEB SAH Son of Dhurendra Sah Resident of Pani Tanki, Krishi Bazar,
Narkatiaganj, P.S.- Shikarpur (Narkatiaganj), District - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma

For the Opposite Party/s : Mr.Anil Kumar Singh No. 1

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 27-02-2020 Heard the parties.

The petitioner seeks regular bail in connection with POCSO Trial case no.48 of 2019 registered for offences punishable under Sections 363, 366(A) of the Indian Penal Code and Section 8 of the POCSO Act.

Petitioner is named in the FIR. There is allegation of kidnapping of the minor daughter of the informant.

Submission of the learned counsel for the petitioner is that as a matter of fact there is allegation against brother of the petitioner of enticing the minor daughter of the informant away. He has been made accused only because he happens to be brother of the main accused and he is in custody since 16.10.2019. Charge sheet has already been submitted.



Heard learned A.P.P. who has opposed the prayer for bail on the ground that the girl has not been recovered.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned 1st Addl. Sessions Judge cum Special Judge, POCSO Act, East Champaran at Motihari in connection with POCSO Trial Case No.48 of 2019 arising out of Raxaul (Haraiya) P.S.Case No.228 of 2019 with condition that after released he has to co-operate in tracing out the girl otherwise the prosecution is at liberty to move for cancellation of his bail bonds.

With the above direction, this application is allowed.

(Vinod Kumar Sinha, J)

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