

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.9752 of 2020

Arising Out of PS. Case No.-286 Year-2018 Thana- BARGAINIA District- Sitamarhi

RAJA KUMAR, aged about 26 years, Male, Son of Mahendra Sah, Resident of Muhalla - Mai Ashthan Baigania Ward No. 11, P.S.- Baigania, Distt – Sitamarhi ... Petitioner

Versus

The State of Bihar ... Opposite Party

Appearance :

For the Petitioner : Mr. Sanjay Kumar, Adv.
For the State : Mr. Md. Shakir Ahmad, APP
For the Informant : Mr. Vikash Kumar Jha, Adv.

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 28-02-2020

Heard learned counsel for the petitioner, the learned counsel for the informant and learned Additional Public Prosecutor for the state.

The petitioner seeks bail in connection with Bargania P.S. Case No. 286 of 2018, registered under Sections 363, 366A, 376, 302, 120B and 34 of the Indian Penal Code and 4, 6, 8 and 12 of the Protection of Children from Sexual Offences Act, 2012.

The accusation is that daughter of the informant, aged about 14 years, had gone along with the children in a marriage function, but, she did not return. Further allegation of the informant is that he along with his daughter, Prayanshu Kumar, used to sit at his egg shop and one Anil Kumar always used to come at shop to whom his daughter used to serve eggs. Perhaps, Anil Kumar has kidnapped his daughter for bad purpose.

Submission is that it would appear from the first information report that petitioner is not named in the first information report rather informant raised suspicion against one Anil Kumar, who used to visit



his egg shop and used to talk his daughter. Informant has also not disclosed the name of the petitioner in his re-statement. Later on informant gave his further statement before the police in which he stated that this petitioner also used to visit his egg shop. The petitioner is in custody since 18.10.2019.

On the other hand, learned counsel appearing on behalf of the informant submits that after missing of the daughter of the informant, her dead body was found sustaining injury near the railway track.

Having regard to the facts and circumstances of the case, let the petitioner, above named be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each in connection with Bargania P.S. Case No. 286 of 2018 to the satisfaction of the Additional District Judge I-cum-Special Judge, POCSO Act, Sitamarhi.

(Rajendra Kumar Mishra, J)

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