

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26524 of 2020

Arising Out of PS. Case No.-226 Year-2019 Thana- KARAKAT District- Rohtas

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AMARESH PRAJAPATI @ AMARESH KUMAR Son of Mahendra Pandit
@ Mahendra Kumar Resident of Village - Siaruwan, P.S.- Sanjhauli, District -
Rohtas (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Tiwary, Advocate

For the Opposite Party/s : Mr. Surendra Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 13-10-2020 Heard Mr. Sanjay Kumar Tiwary, learned counsel for

the petitioner and Mr. Surendra Kumar, learned Additional

Public Prosecutor appearing for the State through video

conferencing.

Petitioner seeks regular bail in connection with

Karakat P.S. Case No. 226 of 2019 registered for the offences

punishable under Sections 363, 365, 366(A)/34 of the Indian

Penal Code 1860 and Section 12 of the POCSO Act.

The allegation against the petitioner as per the First

Information Report is that he abducted the daughter of the

informant aged about 14 years.

Learned counsel for the petitioner submits that the

petitioner has falsely been implicated in this case with oblique



motive. Learned counsel further submits that there was love affair between the petitioner and the victim girl, and the present First Information Report has been lodged after delay of about 12 days. Learned counsel also submits that the statement of victim girl under Section 164 Cr. P.C. has been recorded and from perusal of the same at Annexure-2, it would be evident that the girl had gone with the petitioner on her own sweet-will and without coercion or pressure on the part of the petitioner. Learned counsel next submits that the girl has disclosed her age before the learned Magistrate as 17 years. The petitioner is in custody since 31.08.2019.

Having heard learned counsel for the parties and taking into consideration the materials on record, the statement of victim girl recorded under Section 164 Cr. P.C. and the fact that the petitioner has remained in custody for about more than one year, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be released on regular 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 District and Sessions Judge 1st, Rohtas at Sasaram, in connection with Karakat P.S. Case No. 226 of 2019.



It is made clear that at the time of furnishing bail bonds all the parties shall follow the guidelines regarding lockdown and social distancing.

(Anil Kumar Sinha, J)

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