

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28740 of 2020

Arising Out of PS. Case No.-82 Year-2020 Thana- BELHAR District- Banka

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PANDIT KUMAR RAY @ PANDIT RAY Son of Chemeli Ray Resident of
Village- Shattighat, P.S.- Belhar, District- Banka.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Balram Kapri, Adv.

For the Opposite Party/s : Mr.Ashok Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 14-12-2020 Heard the learned counsel for the petitioner and the

learned A.P.P. appearing for the State Shri Ashok Kumar.

The petitioner seeks regular bail in connection with
Belhar (Kheser) P.S. Case No. 82 of 2020, giving rise to G.R.
No. 24 of 2020 for the offence punishable under Section 366(A)
of the Indian Penal Code and Section 8 of Protection of
Children from Sexual Offence Act.

The allegation is regarding the daughter of the
informant having gone to the market to buy scarf, however,
when she did not return back to her house in the evening, the
informant along with other family members had gone to the
market to search for her and when they reached at the market
place, they saw her bicycle standing on the side of the road. It is
further alleged that when enquiry was made from the shop-



keepers, they disclosed that the daughter of the informant had boarded a tempo and gone towards Ramsharia.

The learned counsel for the petitioner has submitted that the petitioner is innocent, has been falsely implicated in the present case, is having a clean antecedent and is languishing in custody since 13.03.2020. The learned counsel for the petitioner, by referring to the statement made by the victim girl under Section 164 Cr. P.C., before the learned Magistrate, has submitted that the victim girl has disclosed in her statement that on 05.03.2020 while she had gone to the market to buy scarf, four persons including the petitioner herein had abducted her and taken her in a four wheeler, however, she had managed to flee away from their custody subsequently and had reached the police station. The learned counsel for the petitioner has further submitted that no misdeed has been alleged to have been committed by the petitioner herein.

Per contra, the learned Additional Public Prosecutor has vehemently opposed the prayer for regular bail, made by the petitioner.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the fact that the victim



girl, in her statement made under section 164 Cr. P.C. before the learned Magistrate, has not alleged any sort of misdeed having been committed by the petitioner, apart from the fact that the petitioner is languishing in custody since 13.03.2020 and is having a clean antecedent, I deem it fit and proper to direct for release of the petitioner on regular bail.

Accordingly, the petitioner, above named, is directed to be released on regular bail on furnishing bail-bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned Additional Session Judge-1st, Banka in connection with Belhar (Kheser) P.S. Case No. 82 of 2020 giving rise to G.R. No. 24 of 2020.

(Mohit Kumar Shah, J)

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