

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29893 of 2020

Arising Out of PS. Case No.-79 Year-2020 Thana- HARSIDHI District- East Champaran

GOPAL SAH @ GOPAL KUMAR Son of Late Punyadeo Sah Resident of
Village-Daroga Tola, P.S.-Banjaria, District-East Champaran Petitioner
Versus

The State of Bihar Opposite Party

Appearance :

For the Petitioner/s : Mr.Radha Mohan Singh

For the Opposite Party/s : Mr. Nityanand Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

2 13-11-2020 Due to COVID-19 Pandemic, the matter is being taken up by
way of virtual Court proceeding.

The matter has been listed under the heading “For Orders”
under the orders of Hon’ble the Chief Justice.

Learned counsel for the petitioner is directed to remove the
defect(s), as pointed out by the office, within a period of four weeks
after restoration of normalcy.

Heard learned counsel for the petitioner and learned APP for
the State.

The petitioner seeks bail in a case for the offence registered
under Sections 363, 366A & 34 of the Indian Penal Code and
Sections 8 & 12 of the POCSO Act.

Prosecution case in short is that on 01-03-2020 at night, the
informant’s sister went out of her house to attend the call of nature
but she did not return. It came to light that one Ranjeet Sah @ Dasai
Sah forcibly took the informant’s sister on his motorcycle to his
cousin brother Gopal Sah (petitioner).



It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner is in custody since 16-03-2020. Charge sheet/Prosecution report in this case has already been submitted. The petitioner has been falsely implicated in the present case. The victim has been recovered. Her statement vide Annexure-2 to the present application has been recorded in which, she has stated that she left the house out of her own sweet will and now, she has solemnized marriage with the petitioner.

On behalf of the State, it is submitted that the petitioner is named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-Ist-cum-Special Judge, POCSO Act, Motihari, East Champaran in connection with Harsidhi P.S. Case No. 79 of 2020.

(Sudhir Singh, J)

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