

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29800 of 2020**

Arising Out of PS. Case No.-195 Year-2017 Thana- KAMTAUL District- Darbhanga

MD. CHAND, aged about 24 years (Male), Son of Md. Mohiuddin @ Lalu,
Resident of Village- Mohammadpur, P.S.- Kamtaul, District- Darbhanga.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Pankaj Kumar Das, Advocate.
For the Opposite Party : Mrs. Renuka Ratnakar, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER**

2 12-11-2020 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 defects, as pointed out by the office, within a period
of four weeks after restoration of normalcy.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in a case for the offence
registered under Sections 363, 366(A)/34 of the I.P.C. and 4, 8,
6 of the POCSO Act.

The prosecution story, in brief, is that on 03.11.2017
at 6.00 P.M. in the evening, informant’s minor daughter, Pinki



Kumari, aged about 15 years, had gone to attend the call of nature in orchard and at the alone place accused petitioner Md. Chand alongwith co-accused Md. Mohiuddin, Kamrun, Nisha, Md. Ishtiyaque and Md. Ejaz kidnapped Pinki Kumari for the purpose of marriage.

It has been submitted by learned counsel for the petitioner that the petitioner is in custody since 23.01.2020. The petitioner has got no criminal antecedent. Charge sheet has been submitted in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. The victim has been recovered and her statement under Section 164 Cr. P.C. has been recorded. She has stated that she has left the house out of her own will. The statement is Annexure-2 to the present application. She has filed a petition before the learned court below where she has stated that she has got married out of her own will with this petitioner and they are leading conjugal life, annexed as Annexure-3 to the present application.

On behalf of the learned counsel for the State, it has been submitted that the petitioner is named in the F.I.R.

Considering the facts and circumstances of the case, the petitioner above named, is directed to be released on bail on



furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Ist Additional Sessions Judge-cum-Special Judge (POCSO Act), Darbhanga, in connection with Kamtaul P.S. Case No. 195 of 2017.

(Sudhir Singh, J)

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