

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13336 of 2021**

Arising Out of PS. Case No.-205 Year-2020 Thana- KHARHAGPUR District- Munger

DEEPAK KUMAR Son of Jitendra Singh @ Jitendra Mandal Resident of
Village- Shobhandih, P.S.- Kharagpur, District- Munger.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhola Kumar

For the Opposite Party/s : Smt. Sucheta Yadav

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER**

2 09-08-2021 Heard learned counsel for the petitioner and learned A.P.P. for
the State through virtual court proceeding.

Learned counsel for the petitioner undertakes to remove the
defects within four weeks of resumption of normal court proceeding.
In the eventuality of non-removal of defects within undertaken
period, the office will place the matter before the Bench.

The petitioner seeks bail in connection with Kharagpur P.S.
Case No. 205 of 2020 registered for the offence punishable under
Sections 366 (A)/34 of the Indian Penal Code and Section 8 of the
POCSO Act.

Allegation against the petitioner is that petitioner along with
other persons forcefully kidnapped and took away minor daughter of
the informant.

It is submitted by learned counsel for the petitioner that
petitioner has falsely been implicated in this case and has not



committed any offence as alleged in the FIR. He submits that the so-called victim has herself stated in her statement Under Section 164 of Cr.P.C. that the petitioner has not kidnapped her rather she had voluntarily fled away because she loves petitioner and is ready to live with the petitioner. He further submits that she herself stated that they had made physical relationship six to seven times and in the medical report enclosed as Annexure 3 of this petition the doctor has opined that age of the victim is between 17 to 18 years. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. The petitioner has no criminal antecedent and has been languishing in custody since 20.08.2020.

Learned APP for the State opposed the bail petition.

Considering the facts aforesaid, the above named petitioner is directed to be enlarged on bail, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Kharagpur P.S. Case No. 205 of 2020.

(Anjani Kumar Sharan, J)

GAURAV S./-

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