

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33733 of 2021

Arising Out of PS. Case No.-326 Year-2020 Thana- ADAPUR District- East Champaran

CHANDAN PASWAN S/o Gajanand Paswan Resident of Village- Sirisiya
Kala, P.S.- Adapur, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Kumar No.III

For the Opposite Party/s : Mr. Madhurendra Kumar

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 21-12-2021 Heard learned counsel for the parties.

Petitioner seeks regular bail in connection with
POCSO Case No. 177 of 2020 arising out of Adapur P.S. Case
No. 326 of 2020 registered for the offence under Section
363 , 365 of the I.P.C. and Section 8 / 12 of the POCSO Act.

The allegation is that the petitioner has allegedly
abducted the minor daughter of the informant with the help of
one another accused person.

Learned counsel for the petitioner submits that
petitioner has not committed any offence in the manner alleged
and he has falsely been implicated in this case merely on the
basis of the fact that the daughter of the informant was in love
with the petitioner and the same was not to the liking of the
informant and his family members. Learned counsel further



submits that the victim girl was recovered and her statement under Section 164 Cr.P.C. was recorded in which she has stated that she had gone to Surat along with the petitioner voluntarily on her free will. He further submits that a medical board was constituted and the age of the victim girl has been assessed by the medical board between 18-19 years.

On the other hand, learned counsel for the informant opposes the prayer for bail and submits that from perusal of the transfer certificate issued by the school the date of birth of the victim girl is 01-01-2006 and on the date of occurrence she was minor.

Regard being had to the submissions made by the parties and taking into consideration the materials available on record, the fact that statement of the victim girl was recorded under Section 164 Cr.P.C. in which she has not stated anything against the petitioner, the doctor has assessed the age of the victim girl between 18-19 years, petitioner is in custody since 13-01-2021 and charge sheet has already been submitted, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be released on regular bail on furnishing bail bond of Rs. 10000/- (ten thousand) with two sureties of the like amount each to the



satisfaction of learned 7th Additional District & Sessions Judge
cum Special Judge POCSO Act, East Champaran, Motihari in
connection with POCSO Case No. 177 of 2020 arising out of
Adapur P.S. Case No. 326 of 2020.

(Anil Kumar Sinha, J)

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