

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2573 of 2021**

Arising Out of PS. Case No.-507 Year-2020 Thana- JOGAPATTI District- West Champaran

Ranjeet Kumar Son of Birjhan Mahato Resident of Village - Balua Dew Ray,
P.S.- Yogapatti, District - West Champaran.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Sachida Nand Rai
For the Respondent/s : Mrs.Usha Kumari 1

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

3. 05-08-2021 Heard learned counsel for the appellant and learned
Special P.P. for the State through video conferencing.

The present appeal has been filed against order dated 19.03.2021 passed by learned Addl. Sessions Judge-VI-cum-Special Judge (POCSO Act), Bettiah, West Champaran in Yogapatti P.S. Case No. 507 of 2020, registered for the offence punishable under Sections 363, 366(A), 504/34 of the Indian Penal Code, Section 12 of the POCSO Act and Section 3(i)(r)(v) of SC/ST Act, whereby the prayer for bail of appellant has been rejected.

As per the prosecution case, on 27.11.2020 at about 6:30 PM, the daughter of the informant had gone to attend the call of nature, in the meantime, this appellant came and abducted her for the purpose of solemnising marriage.



It is submitted on behalf of the appellant that appellant has been falsely implicated in this case due to some village politics. The victim is a major girl and in statement recorded under Section 164 Cr.P.C., she has not alleged anything against this appellant, rather she has stated that F.I.R. has been lodged by her mother due to confusion, as she had gone to the house of her Bua out of her own will and as such, neither any case is made out under the POCSO Act nor under the SC/ST Act against this appellant. The Court has also assessed the age of the victim, as 17 years, whereas the doctor has assessed her age between 16-18 years. The appellant has got clean antecedent, and he is in custody since 27.02.2021.

Taking into consideration the statement of the victim girl recorded under Section 164 of the Cr.P.C. and clean antecedent of the appellant, the impugned order dated 19.03.2021 passed by learned Addl. Sessions Judge-VI-cum-Special Judge (POCSO Act), Bettiah, West Champaran in Yogapatti P.S. Case No. 507 of 2020 is, hereby, set aside and the appeal is allowed.

Let the appellant, 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



Addl. Sessions Judge-VI-cum-Special Judge (POCSO Act),
Bettiah, West Champaran, in connection with Yogapatti P.S.
Case No. 507 of 2020.

(Prabhat Kumar Singh, J.)

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