

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34255 of 2020

Arising Out of PS. Case No.-108 Year-2019 Thana- MUFFASIL District- West Champaran

NITESH KUMAR @ NITESH KUMAR PATEL @ NIKESH PATEL @
VISHAL PATEL Son of Late Awadhesh Patel Resident of Village - Chargaha,
Ward No.3, P.S.- Bettiah Muffasil, Distt.- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma
For the Opposite Party/s : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

2 08-03-2021 Heard learned counsel for the petitioner and learned
APP for the State.

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

The petitioner is apprehending his arrest in a case
registered under Section 366A/34 of the Indian Penal Code and
8 of the POCSO Act.

Allegedly, in the evening, the minor daughter of the
informant had gone to offer Puja in the temple but she did not
return. It was suspected that the FIR named accused alongwith
some unknown persons kidnapped the minor sister of the
informant.

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 has been made accused in the present case due to mistake of fact. The petitioner has solemnized marriage and blessed with a child from the wedlock of the victim. As per medical report, the victim girl was major.

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, the petitioner, above named, in the event of arrest or surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount to the satisfaction of learned Additional District & Sessions Judge-VI-cum-Special Judge (POCSO) Act, Bettiah, West Champaran in connection with Bettiah Muffasil (Manuapul) P.S. Case No. 108 of 2019 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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