

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34499 of 2020

Arising Out of PS. Case No.-1098 Year-2018 Thana- BETTIAH CITY District- West
Champaran

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Aayush Mishra @ Aayush Kumar Mishra S/o Pradeep Mishra, resident of
village - Turhapatti, P.S. - Chanpatia (Kumarbag O.P.), District - West
Champaran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar

For the Opposite Party/s : Mr. A.G.

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 15-03-2021 Heard learned counsel for the petitioner and learned
counsel for the State.

In this case, the petitioner is seeking anticipatory bail
in connection with Bettiah Town P.S. Case No. 1098 of 2018
registered for offence punishable under sections 341, 323, 504,
366A/34 of the Indian Penal Code and section 8 of the POCSO
Act.

An FIR has been lodged by the father of the victim
girl, making allegation of kidnapping of his daughter for the
purposes of marriage, but in the statement recorded under
section 164 Cr.P.C., the victim girl has stated that she from her
own volition had gone to Varanasi along with her friend and no
one had kidnapped her. The age of the victim girl has been



assessed by the Magistrate as 15 years, but the doctor has found her age in between 17 to 19 years.

Looking to the statement made by the victim girl, let the petitioner above named, in event of arrest or surrender before the court below within six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of Special Judge, POCSO-cum-Additional Sessions Judge-VI, Bettiah, West Champaran/Successor Court in connection with Bettiah Town P.S. Case No. 1098 of 2018, subject to condition that one of the bailors of the petitioner shall be his close relative. The petitioner will not induce any witness or tamper with the evidence. The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court. In case of failure on two consecutive dates without any valid reason, the court below will be at liberty to cancel the bail bonds of the petitioner.

(Shivaji Pandey, J)

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