

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39921 of 2020

Arising Out of PS. Case No.-407 Year-2020 Thana- MUFFASIL District- West Champaran

Prabhu Patel, aged about 45 years, Male, Son of Sri Mangal Patel, Resident of Village- Mathiya, P.S.- Bairiya, District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma, Advocate

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

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 22-03-2021 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in connection with Bettiah Muffasil (Manuapul) P.S. Case No. 407 of 2020 registered for the offence punishable under Section 376 of the Indian Penal Code, Sections 4 and 6 of the Protection of Children from Sexual Offences Act, 2012 (POCSO Act) and Sections 3/4 of the Dowry Prohibition Act.

On 06.07.2020 at about 03.30 p.m., the informant Sangeeta Devi, wife of Sri Suresh Raut, resident of village- Dusaiya, P.S.- Manuapul, District- West Champaran submitted written report before the Officer-in-charge, Manuapul P.S. On the occasion of Chhath festival, the brother of her son-in-law, Akash Kumar, had come to her house, while she was not at her



house, her husband had gone to earn wages, finding her daughter Sapna Kumari alone at the house, Akash Kumar, alluring her daughter of performing marriage with her, established physical relation with her daughter for about 3-4 days and assuring that he was going to Ludhiyana and after earning, he would come and then disclosing their relationship would marry her. Nothing changes in her body and pain in abdomen, the informant's daughter was brought to the doctor and on verification by ultrasound, she was found carrying seven months pregnancy and then her daughter narrated the entire episode and thereafter, the informant, her husband and other relatives contacted Akash Kumar, his father Prabhu Patel, his mother Somari Devi, for marriage of Sapna Kumari, but they started demanding Rs.5 lacs for marriage instead, or suggested to get the pregnancy aborted and to marry somewhere else and all the three refused to marry with her daughter.

Learned counsel for the petitioner submits that the main allegation is against co-accused Akash Kumar. He further submits that there is no specific allegation against the petitioner. There is general and omnibus allegation against the petitioner. Petitioner is in jail custody since 11.08.2020 and petitioner has got no any criminal antecedent mentioned in paragraph-3 of the



bail petition. Petitioner is the father of the co-accused Akash Kumar.

Learned A.P.P. for the State opposed the bail petition.

In the facts and circumstances of the case, let the above named petitioner be enlarged on bail on furnishing bail bond of Rs. 25,000/- (twenty five thousand) only with two sureties of the like amount each to the satisfaction of learned 6th Additional Sessions Judge-cum-Special Judge under POCSO Act, West Champaran at Bettiah in connection with Bettiah Muffasil (Manuapul) P.S. Case No. 407 of 2020.

(Anjani Kumar Sharan, J)

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