

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.975 of 2021

Arising Out of PS. Case No.-299 Year-2020 Thana- BAIRIYA District- West Champaran

Tijar Miyan, aged about 50 years, Male, Son of Late Rangila Miyan, Resident of Village - Laukariya, Pokhara Tola, Ward No. 8, P.S. - Bairiya, District - West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar, Advocate
For the State : Mr.Ataur Rahman, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 05-04-2021 Heard learned counsel for the petitioner, learned counsel for the informant and learned A.P.P. for the State.

The petitioner seeks bail in connection with Bairiya P.S. Case No. 299 of 2020 registered for the offences punishable under Sections 363, 366A, 504, 506/34 of the Indian Penal Code and Section 12 of POCSO Act.

As per the prosecution case, while daughter of the informant, aged about 15 years, was walking on road with her mother and Aunt four persons covering their faces came on motorcycle and kidnapped his daughter for the purpose of marriage.

Learned counsel for the petitioner submits that the petitioner is innocent and has not committed any offence as alleged in the F.I.R. and has been falsely implicated in this case without any material due to dirty village politics. Even in the F.I.R., the informant has not taken his name. He submits that the petitioner has nothing to do with the kidnapping of the girl. The



petitioner has no criminal antecedent as mentioned in paragraph-3 of the bail petition, and petitioner is in jail custody since 04.09.2020.

Learned counsel for the informant submits in the statement of the victim recorded under Section 164 Cr.P.C., it has been alleged that the petitioner had threatened to the informant that if the victim will not solemnize marriage with him then he will kill him. The medical report of the victim shows that she is aged between 17-18 years and no recent sign of sexual assault was found on her person.

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 7th Additional District and Sessions Judge-cum-Special Judge (POCSO), Bettiah, West Champaran in connection with Bairiya P.S. Case No. 299 of 2020.

(Anjani Kumar Sharan, J)

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