

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 487 of 2021**

Arising Out of PS. Case No.-61 Year-2020 Thana- BALTHAR District- West Champaran

SATISH KUMAR S/o AMARNATH SAH BARNWAL R/O VILLAGE
SONASATI, P.S- SHIKARPUR, DISTRICT- WEST CHAMPARAN

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr Bimlesh Kumar Pandey, Advocate

For the Opposite Party/s : Ms Rita Verma, APP

CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

4 **25-03-2021** Heard learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks bail in Balthar Police Station (for
brevity, *PS*) Case No 61 of 2020 instituted for the offence
punishable under Sections 366A, 380/34 of Indian Penal Code
and Sections 8 and 14 of Protection of Children from Sexual
Offences Act.

Petitioner's implication in this case is by name for
having taken away the informant's daughter who is alleged to be
of 16 years of age. Other co-accused have also been named in
helping the petitioner.

Learned counsel for the petitioner submits that during
course of investigation, the victim has given a statement that she



has solemnized marriage with the petitioner and the Medical Board has opined her age to be between 17 to 19 years. The case is false and the petitioner is in custody since 11.07.2020. He has no criminal antecedent.

Learned APP, on going through the case diary, is not in a position to deny or dispute these submissions.

In view of the aforesaid circumstances, prayer for bail is allowed. Let the petitioner, above named, be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Additional Sessions Judge I -cum- Special Judge, West Champaran at Bettiah in Balthar PS Case No 61 of 2020 subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

Learned counsel for the petitioner is expected to



honour his undertaking given in the instant proceedings today
for depositing requisite Court fee and removing the defect (s), as
pointed out, when called upon to do so.

(Madhuresh Prasad, J)

M.E.H./-

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