

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8560 of 2021

Arising Out of PS. Case No.-455 Year-2020 Thana- SIKARPUR District- West Champaran

Madan Rai Son Of Late Rajbadan Rai Resident Of Block Road, Jamunia, 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, Adv.

For the Opposite Party/s : Mr. Sanjeev Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 26-11-2021 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Learned counsel for the petitioner undertakes to remove the defects within three weeks. In the eventuality of non-removal of defects within undertaken period, the office will place the matter before the Bench.

The petitioner is apprehending his arrest in a case registered for the offence punishable under Sections 363, 366A, 354, 34 of the Indian Penal Code and Section 8 and 12 of the POCSO Act.

When the daughter of the informant went to bring flower from the place situated in front of her house, petitioner who were waiting there from before, forcefully kidnapped her by a Tempo.

Learned counsel for the petitioner submits that petitioner is innocent and has been falsely implicated in this



case. He submits that victim in her statement recorded under Section 164 Cr.P.C. has claimed herself to be 21 years age, the learned Magistrate assessed her age to be 18 years whereas the Medical Report of the victim shows her age to be 21-25 years. He submits that daughter of the informant has left her house out of her own sweet will with co-accused Dhanraj Paswan where she has solemnized her marriage. He further submits that petitioner has no criminal antecedent as stated in para-3 of the bail application.

Considering the facts and circumstances of the case and the statement of the victim recorded under Section 164 Cr.P.C., let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of six weeks from the date of receipt of the order, be released on anticipatory bail on furnishing bail bond of Rs.20,000/- (rupees Twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Shikarpur Police Station Case No. 455 of 2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anjani Kumar Sharan, J)

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