

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5082 of 2022

Arising Out of PS. Case No.-216 Year-2021 Thana- MAJHAULIA District- West Champaran

Kanhaiya Ram Son Of Ashok Ram Resident of Village - Kankaliya Ward
No.13, P.s.- Majhauria, Distt.- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ramchandra Sahni
For the Opposite Party/s : Mr.Arun Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 28-07-2022 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner apprehends his arrest in Majhauria P.S.
Case No. 216 of 2021, registered for the offences punishable
under Section 366 of the Indian Penal Code and section 8 of the
POCSO Act.

Prosecution case in brief is that petitioner along with
co-accused persons kidnapped the minor daughter of informant.

It is submitted that petitioner has been falsely
implicated in this case. There is general and omnibus allegation.
The victim girl was medically examined and the doctor assessed
her age in between 16-18 years. Moreover, there was love affair
between the petitioner and the victim girl. The victim girl in her
statement under Section 164 Cr.P.C has categorically stated that



she voluntarily left her house and went along with this petitioner and no one has kidnapped her. Petitioner claims clean antecedent.

Considering the facts aforesaid, the petitioner above-named, in the event of his arrest/surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge POCSO-cum-Additional District Judge VI, West Champaran at Bettiah in connection with Majhaulia P.S. Case No. 216 of 2021, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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