

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15951 of 2021

Arising Out of PS. Case No.-344 Year-2017 Thana- MUFFASIL District- West Champaran

Anil Sah, S/o Kanhai Sah @ Kanhaiya Sah, R/o Village Bambirwa Turhapatti,
P.S.- Kotwa, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shanti Bhushan Singh, Advocate

For the Opposite Party/s : Mr. Kanhaiya Kishore, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 12-01-2022 Heard learned counsel for the petitioner and learned
APP for the State through virtual court proceedings.

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

The petitioner apprehends his arrest in Muffasil P.S. Case No.344 of 2017, registered for the offences punishable under Sections 366A, 363 read with 34 of the Indian Penal Code and Section 8 of POCSO Act.

The petitioner is said to have eloped the daughter of the informant.

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



present case. The statement of the victim was recorded under Section 164 Cr.P.C. in which she stated that she herself went with the petitioner as there was love affair between them. It is further submitted that the Medical Board has assessed the age of the victim to be 18-19 years, therefore, no case is made out under Section 8 of the POCSO Act. It is submitted that the petitioner has got no criminal antecedent as stated in para 3 of the bail application.

Learned APP for the State opposed the prayer for anticipatory bail of the petitioner.

Taking into consideration the facts aforesaid, let petitioner, above named, in the event of his arrest or surrender before the learned court below within a period of six weeks from today, be enlarged on bail on furnishing bail bond of Rs.25,000/- (rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge POCSO cum A.D.J.-VIth, West Champaran, Bettiah in connection with Muffasil P.S. Case No.344 of 2017, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure.

(Anjani Kumar Sharan, J.)

Sanjay/-

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