

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13200 of 2022

Arising Out of PS. Case No.-682 Year-2021 Thana- SIKARPUR District- West Champaran

Prithivi Kumar @ Rupesh Kumar S/O Umesh Sah @ Umesh Prasad Resident
Of Balbania, 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 : Mr. Akshay Lal Pandit, A.P.P

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

3 17-08-2022 Heard learned counsel for the petitioner and learned
A.P.P for the State.

Let the defect (s), as pointed out by the office, be
removed within a period of four weeks from today.

The petitioner seeks bail in connection with a case
registered for the offences punishable under Sections 363 and
366(A) of the Indian Penal Code and Sections 4 and 12 of the
POCSO Act.

As per the prosecution case, informant alleges that on
17.11.2021 at 06:00 am, daughter of the informant, namely, Neha
Kumari went to Mathura Coaching Center for coaching but
didn't return home thereafter, she was searched but could not be
traced out. Hence, on the basis of suspicion, informant lodged the
F.I.R. against unknown persons.

Learned Counsel for the petitioner submits that the



petitioner is innocent and has been falsely implicated in this case. Further, it is submitted that the informant's daughter returned and she stated in her statement under Section 161 of Cr.P.C. that she eloped with co-accused Golu Kumar, who married with her in a temple. Thereafter, it is further submitted that when the petitioner being elder brother of Golu Kumar came then he took Golu Kumar with him and left the informant's daughter, which cannot be considered to be an offence. It is further submitted that the petitioner is in custody since 23.01.2022, charge-sheet has been submitted in the case and has antecedent of one case.

Learned A.P.P for the State opposes the prayer for regular bail of the petitioner.

Considering the facts and circumstances of this case, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) only with two sureties of the like amount each to the satisfaction of the learned Additional District and Sessions Judge 7th cum Special Judge POCSO, Bettiah, West Champaran in connection with Shikarpur P.S. Case No. 682 of 2021.

(Khatim Reza, J)

shanu/-

U		T	
---	--	---	--

