

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13057 of 2022

Arising Out of PS. Case No.-165 Year-2021 Thana- GAUNAHA District- West Champaran

DIPU KUMAR @ DIPU MANJHI S/o Vinod Manjhi R/o Village - Pipariya,
P.S. - Gaunaha, District - West Champaran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

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

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

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 13-05-2022 Heard learned counsel for the petitioner and the State
through virtual mode.

Learned counsel for the petitioner is directed to remove the
defect(s), as pointed out by the office, within a period of four weeks.

The petitioner is apprehending his arrest in Gaunaha P.S. Case
No. 165 of 2021 registered under Section 366A/34 of the Indian
Penal Code and 8 of the POCSO Act.

Allegation against the accused persons including the petitioner
is of kidnapping the minor daughter of the informant with intention
to marry her.

It has been submitted on behalf of the petitioner that the
petitioner has got no criminal antecedent. There is no allegation of
tampering of witnesses alleged against the petitioner. The petitioner
has been falsely implicated in the present case. The victim has been
recovered and her statement under Section 164 of the Cr.P.C. has



been recorded. In her statement recorded under Section-164 of the Cr.P.C., the victim has stated that she left house out of her own sweet will and she had gone to her Mausi. The police after investigation, submitted final form finding the allegation false against the petitioner. Same is Annexure-3 to the present application.

On behalf of the State, it is submitted that the petitioner is named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances of the case, the petitioner, above named, in the event of arrest or surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount to the satisfaction of learned Additional Sessions Judge-VII-cum-Special Judge, POCSO, Bettiah, West Champaran in connection with Gaunaha P.S. Case No. 165 of 2021 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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