

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14327 of 2022

Arising Out of PS. Case No.-78 Year-2020 Thana- BHANGHA District- West Champaran

RONIT KUMAR SAH @ RANJIT KUMAR @ RANJIT SAH S/o Lalbabu Sah @ Lal Babu Sah R/o Village - Pachrukhi, P.S. - Bhangaha, District - West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey

For the Opposite Party/s : Ms.Usha Kumari 1

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 13-07-2022 The learned counsel for the petitioner is directed to remove all the defects pointed out by the Stamp Reporter within one month.

Heard learned counsel for the petitioner and the State.

Petitioner seeks regular bail in a case registered for the offence punishable under Sections 366A, 379/34 of the Indian Penal Code, section 12 of POCSO Act and various sections of the SC/ST Act.

Allegedly, petitioner kidnapped informant's minor daughter with the help of family members with an intention to marry.

The main submissions advanced by the learned counsel for the petitioner are that allegation made in the FIR is totally false, so-called victim has been recovered and she has recorded her statement before the Judicial Magistrate in which she has completely denied the allegation made in the FIR and co-accused Lalbabu Sah



and Sandeep Kumar have been granted regular bail by a coordinate bench of this court vide order passed in Cr. Misc. no. 14758 of 2022 and co-accused Renu Devi and Munni Lal Kushwaha have been granted anticipatory bail by a coordinate bench of this court vide order passed in Cr. Misc. no. 58797 of 2021. Further submission is that after completion of investigation, police submitted final form concluding the prosecution case having been lodged by mistake of fact and thereafter the court below, differing with the police report, took cognizance of the said offence.

Learned APP opposes the prayer for bail.

Having considered the above submissions and mainly the statement recorded by the Judicial Magistrate which completely goes against the allegation made in the FIR and as per her statement no occurrence of kidnapping took place and said statement was recorded in presence of her father before the Judicial Magistrate as such I am inclined to grant privilege of bail to the petitioner.

Accordingly, petitioner is directed to be released 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 7th Addl. Sessions Judge-cum- Special Judge (POCSO), Bettiah, West Champaran in Bhangaha P.S Case No. 78 of 2020.

(Shailendra Singh, J)

s.hassan/-

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