

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15185 of 2022

Arising Out of PS. Case No.-169 Year-2020 Thana- MAINATAND District- West Champaran

1. PREMCHANDRA PANDIT S/o Hardev Pandit R/o village- Sukhlahi, P.S.- Mainatand, District- West Champaran at Bettiah
2. BRIJESH PANDIT S/o Hardev Pandit R/o village- Sukhlahi, P.S.- Mainatand, District- West Champaran at Bettiah
3. RAJESH PANDIT S/o Hardev Pandit R/o village- Sukhlahi, P.S.- Mainatand, District- West Champaran at Bettiah

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjana

For the Opposite Party/s : Mr.Aditya Narayan Singh.1

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 12-07-2022 Learned counsel for the petitioners is permitted to remove defect (s), as pointed out by the office, if any, within a period of four weeks on resumption of physical mode.

Heard learned counsel for the petitioners and learned APP for the State.

The petitioners have preferred this application for grant of regular bail in a case registered under section 363 and 366A of the Indian Penal Code and cognizance was taken under Section 8 of POCSO Act.

As per prosecution case, the petitioners and co-accused persons kidnapped the daughter of the informant for the



purpose of marriage. It is further alleged that the accused person also threaten that if the matter would be disclosed, she would be killed.

Learned counsel for the petitioners has submitted that the petitioners are innocent and they have falsely been implicated in this case. The petitioners have clean antecedent as stated at para 3 of the bail petition. Learned counsel for the petitioner has further submitted that the victim in her statement recorded under Section 164 Cr.P.C., the victim has not stated the name of the petitioner in the crime alleged. It is further submitted that the victim was also examined by the Medical Board in which her age has been assessed in between 19 to 20 years. The other co-accused person has already been granted bail by a Coordinate Bench of this Court vide order dated 06.04.2022 passed in Cr. Misc. No. 57859 of 2021. The petitioner are in custody since 28.01.2022.

Learned A.P.P. for the State has opposed the bail petition of the petitioners.

Considering the aforesaid facts and circumstances, the petitioners above-named, are directed to be enlarged on bail on his furnishing bail-bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the



satisfaction of learned Additional Sessions Judge VII-cum-Special Judge, POCSO Act, West Champaran at Bettiah, in connection with Mainatand P.S. Case No. 169 of 2020, with a condition that

1. The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner will liable to be cancelled.

The application stands allowed.

(Chandra Prakash Singh, J)

sanjeev/-

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

