

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19726 of 2022

Arising Out of PS. Case No.-51 Year-2022 Thana- KESARIA District- East Champaran

Nagendra Singh @ Nagendra Kumar Son Of Bikrama Singh R/O Village-
Bintoliya (Chapra Railway Station), P.S.- Chapra Mufassil, District- Chapra
(Saran)

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Parth Gaurav, Advocate.

For the Opposite Party/s : Mr.Zainul Abedin, APP.

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 19-07-2022 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
learned APP for the State.

Petitioner seeks regular bail in connection with
Kesariya P.S. case no. 51 of 2022 registered for the offences
punishable under Sections 363, 366(A)/34 of the Indian Penal
Code and Section 8 of the POCSO Act.

As per allegation the informant's daughter aged about
seventeen years was not found at the informant's house and
thereafter the informant suspected that the petitioner and other
co-accused persons had kidnapped her daughter with an
intention to marry the victim with this petitioner.

The main submissions advanced by learned counsel
for the petitioner are that the allegations made in the FIR are
completely false in nature, the victim was having a love affair



with the petitioner and she herself left her mother's house according to her own sweet will and the said fact has been revealed by her in her statement recorded under Section 164 Cr.P.C., and the said statement has been discussed by the Court below in the order impugned and according to medical opinion the victim's age has been assessed between 18-19 years as such the alleged offence under the section 8 of the POCSO act, 2012 does not attract in the present case.

Learned APP has opposed the prayer for bail.

In view of the above submissions and considering the victim's statement recorded under Section 164 Cr.P.C, which has been discussed by the Court below in the order impugned the allegation made in the FIR does not get support from the victim's own statement, in my view a lenient approach can be taken in respect of petitioner's prayer let the petitioner 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 concerned Court in connection with Kesariya P.S. case No. 51 of 2022.

(Shailendra Singh, J)

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