

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20283 of 2022

Arising Out of PS. Case No.-154 Year-2021 Thana- BALTHAR District- West Champaran

MUNNA MIAN Son of Late Roj Mian @ Roja Mian Resident of Village -
Sakraul, P.S. - Inarwa, District - West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma

For the Opposite Party/s : Mr.Sanjay Kumar Tiwary

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

3 12-09-2022 The learned counsel for the petitioner is directed to

remove all the defects pointed out by the Stamp Reporter within

one month.

Petitioner seeks regular bail in Balthar P.S Case No.
154 of 2021 registered for the offences punishable under
Sections 363, 366A of the Indian Penal Code and section 8 of
the POCSO Act.

As per allegation, informant's minor daughter had
gone to outside for call of nature, the accused persons including
the petitioner enticed her away to go with the petitioner for the
purpose of marriage.

The main submissions advanced by learned counsel Sri
Umesh Chandra for the petitioner are that the FIR of the present
case was lodged after delay of 31 days, the victim has been



recovered and she has recorded her statement before Judicial Magistrate in which she has not made any allegation against the petitioner, in the said statement the victim has accepted her matrimonial relationship with this petitioner and as per the Medical Board victim's age has been assessed between 19 and 21 years

Sri Sanjay Kumar Tiwary, learned APP appearing for the State has opposed the prayer for bail.

In view of the above submissions and mainly taking into account the statement of so-called victim recorded under section 164 Cr.P.C which completely goes against the allegation made in the FIR, in the opinion of this Court the petitioner deserves to a lenient approach of this Court.

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 the 7th Addl. Sessions Judge-cum- Special Judge under POCSO Act, West Champaran at Bettiah in Balthar P.S Case No. 154 of 2021.

(Shailendra Singh, J)

s.hassan/-

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