

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31901 of 2021

Arising Out of PS. Case No.-278 Year-2018 Thana- BAIRIYA District- West Champaran

MANJU DEVI W/o Ram Naresh Thakur R/o village- Motipur Bara, P.S.-
Bairiya, District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Brij Kishor Mishra, Adv.

For the Opposite Party/s : Mr.APP

CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR PANDEY
ORAL ORDER

2 24-03-2022 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 as well as

learned APP for the State.

The petitioner apprehends his arrest for the offences

alleged under Sections 363, 366(A), 379 of the IPC and Section

4 of POCSO Act registered in connection with Bairiya P.S. Case

No.278 of 2018.

The informant Dhuran Yadav levelled allegation that

six FIR named accused persons including the present petitioner

kidnapped the minor daughter of informant from his house and

the accused persons also took away Rs.10,000/- cash and golden

ornaments.

Learned counsel for the petitioner has submitted that



the present case has falsely been lodged. He has submitted that the informant has stated that the victim was kidnapped along with cash and ornaments from the house of the informant whereas the victim in her statement under Section 164 Cr.P.C. has stated that she was kidnapped from the field where she went to answer the call of nature. There is a material contradiction between FIR and the statement under Section 164 of the Cr.P.C. The petitioner was not sent up for trial and final form was submitted against her, but the court below has taken cognizance.

Considering the above-mentioned facts and circumstances, let the petitioner above named, in the event of his arrest or surrender within three weeks from the date of communication of this order 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 learned Additional District & Sessions Judge, VIIth-cum-Special Judge (POCSO), Bettiah, West Champaran in connection with Bairiya P.S. Case No.278 of 2018, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

Office shall ensure that all the defects are removed by the petitioner within the stipulated time as provided hereinabove, failing which the matter shall be brought to the



notice of this Court.

(Nawneet Kumar Pandey, J)

Prakash Narayan /-

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