

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23666 of 2022

Arising Out of PS. Case No.-16 Year-2022 Thana- JOGAPATTI District- West Champaran

Ranjeet Kumar Thakur @ Ranjeet Kumar S/o Ramakant Thakur R/o Village -
Sehudawa, P.S. - Yogapatti, District - West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey, Adv.

For the Opposite Party/s : Mr. Mukeshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

5 29-09-2022 Let the defect, if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Yogapatti (Sanichari) P.S. Case No. 16 of 2022 lodged under
Sections 366A/34 of the I.P.C. read with Section 4 and 6 of
POCSO Act.

As per the prosecution case, the allegation made in the
F.I.R. against the present petitioner is that he along with other
accused persons has kidnapped the victim with a view to marry.

Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. The present
case is absolutely false in support of his contention, he submits

that the victim had gone with him with consent and free will. They entered into marriage and certificate of registration of marriage is also attached in the petition as Annexure- 3. Learned counsel for the petitioner further submits that case diary has been called for in which Statement 164 of Cr.P.C. is attached. He further submits that petitioner is in custody since 26.02.2022 having one antecedent in which he is on bail. Charge sheet has already been submitted.

Learned counsel for the State opposes the prayer for bail and submits that in the case diary Statement 164 attached in which the victim girl has accepted that no force was applied on her and she went with her own consent and entered into marriage with the petitioner but presently living with her family.

In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Addl. District and Sessions Judge 6th cum Special Judge POCSO, Bettiah, West Champaran in connection with Yogapatti (Sanichari) P.S. Case No. 16 of 2022, subject to the conditions as laid down under Section 437(3) of Cr.P.C. with other following conditions:

A. The petitioner shall support in trial and shall appear physically before the lower court on each and every date fixed, in case of non-appearance for two consecutive dates without sufficient cause, shall be resulted into cancellation of his bail bond.

B. One of the bailors shall be close relative who shall file affidavit before the court about his relationship with the petitioner.

C. The petitioner shall file an affidavit at the time of furnishing of bail bond that he shall not involve in such criminal activity during the continuance of present bail bond, violation of this condition shall be resulted into cancellation of his present bail bond.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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