

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26717 of 2022

Arising Out of PS. Case No.-277 Year-2014 Thana- MAJHAULIA District- West Champaran

PUNAM DEVI W/o Umesh Mahato @ Umesh Kharwar R/o village-
Satbhirwa, Ward No. 12, P.S.- Majhauriya, District- West Champaran
... .. Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey

For the Opposite Party/s : Mr.Amit Kumar Rakesh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 11-10-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Majhauriya P.S. Case no. 277 of 2014 instituted for the offence under Sections 366A/34 of the Indian Penal Code and Section 8 of the POCSO Act.

As per allegation in the FIR, named accused persons including the petitioner have abducted the sister of the informant for the purpose of marriage.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. There is no direct evidence of abduction against the petitioner. Even he is not named in the FIR. After completing the investigation, final form has been submitted against co-



accused Bachha Mahato showing the petitioner to be not sent up for trial, but the learned court below has taken cognizance against the petitioner. It is further submitted that co-accused Bachha Mahato has been allowed bail in Cr. Misc. No. 49099 of 2014.

Learned APP appearing for the State has opposed the prayer of Bail.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Majhauiliya P.S. Case no. 277 of 2014, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge 6th-cum Special Judge POCSO, Bettiah, West Champaran subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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