

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27732 of 2022

Arising Out of PS. Case No.-544 Year-2021 Thana- MOTIHARI MUFASIL District- East
Champaran

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NARESH KUMAR Son of Arjun Ram Resident of Village - Madhubani Ghat,
P.s.- Motihari Muffasil, Distt.- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Advocate
For the Opposite Party/s : Mr. Md. Ataur Rahman, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 14-11-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 366A and 120(B) of the Indian Penal Code and Sections 6 and 8 of the POCSO Act.

The informant alleges that her minor sister aged about 15 years, was enticed by the petitioner and other accused persons with an intention to marry.

Learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and has been falsely implicated in the present case, it is next submitted that the statement of the victim was recorded under Section 164 Cr.P.C.



wherein the learned Judicial Magistrate has assessed her as 22 years of age and the Medical Board has assessed her in between 18-19 years. Learned counsel next submits that since the victim has herself not supported the prosecution case, as such, no justifiable purpose would be served by sending the petitioner to jail.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Motihari Muffasil P.S. Case No. 544 of 2021 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

GauravSinha/-

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