

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27399 of 2022

Arising Out of PS. Case No.-304 Year-2021 Thana- AHYAPUR District- Muzaffarpur

Raushan Kumar Son of Ramesh Mishra R/o Village- Silaut, P.S.- Maniyari,
District- Muzaffarpur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar, Adv.

For the Opposite Party/s : Mr. Shailendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 14-09-2022 Let the defect(s), 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
Ahiyapur P.S. Case No. 304 of 2021 lodged under Sections 363,
366(A) of the I.P.C. read with Sections 3/6 of POCSO Act.

The prosecution case is that the informant alleged that
her daughter was kidnapped by Raushan Kumar and Champat
Kumar and they started demanding Rs. 5,00,000/- ransom to
return the alleged victim girl.

Learned counsel for the petitioner submits that
petitioner is innocent and has committed no offence. He further
submits that father of the petitioner and father of the victim are

full brothers and the victim is the cousin sister of the present petitioner. He further submits that both families are living in the same house but there are dispute between the family over the partition of land between them. It has been further submitted that the alleged date of occurrence is 04.04.2021 but the present F.I.R. has been lodged on 03.05.2021 without any explanation of delay in filing of F.I.R. Learned counsel for the petitioner submits that petitioner is in custody since 07.07.2021 having clean antecedent. He further submits that he is ready to fulfill all the conditions whatsoever shall be imposed upon him by the Court.

Learned counsel for the State opposes the prayer for bail.

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. Session Judge-VI cum Special Judge POCSO-I, Muzaffarpur in connection with Ahiyapur P.S. Case No. 304 of 2021, 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.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J)

Sadique/-
Prakash/-

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