

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.28381 of 2022**

Arising Out of PS. Case No.-211 Year-2021 Thana- GAUNAHA District- West Champaran

Vikash Thakur Son of Sri Naresh Thakur Resident of village - Lachhnauta,  
P.S.- Gaunaha, District - West Champaran. ... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Umesh Chandra Verma, Advocate

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

**CORAM: HONOURABLE MR. JUSTICE RAJIV ROY**

ORAL ORDER

2      05-08-2022                      Heard learned counsel for the petitioner and learned  
APP for the State in Virtual Court Proceeding.

Let the defect(s), if any, as pointed out by the  
office, be removed within four weeks.

The petitioner is in custody in connection with  
Gaunaha P.S. Case No. 211 of 2021 under Sections 366A,  
379/34 of the Indian Penal Code and 8 of POCSO Act.

The allegation in the FIR is that when the  
informant's wife was on a morning walk, she saw that Jairam  
Patel along with other accused persons is taking her daughter  
namely Nandani Kumari on a motorcycle. Later, it came to the  
notice that from the "Almirah" in the room, Rs. 1,55,000/- as  
also some ornaments were found missing. The informant along  
with the other villagers approached the house of Jairam Patel  
and was assured that the girl will be brought back but as she



failed to return, this FIR was lodged.

Learned counsel for the petitioner submits that specific allegation has been made against Jairam Patel that he fled away with the victim girl along with money that has been alleged in the FIR. So far as this petitioner is concerned, a bare perusal of the FIR would show that all the accused persons have been clubbed in the bottom paragraph alleging therein that they have a role to play in the disappearance of the victim girl. It has further been submitted that one of the co-accused namely Chandni Devi has since been released on bail vide Cr. Misc. No. 18645 of 2022 on 27.07.2022 by this Court.

Considering the aforesaid facts as also that the charge-sheet stands submitted, the petitioner is in custody since 8.12.2021 and one of the accused has been released on bail, this Court is inclined to grant him the privilege of bail.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of the learned Additional Sessions Judge-VII-cum-the Special Judge, Pocso Act, West Champaran, Bettiah, in connection with Gaunaha P.S. Case No. 211 of 2021 subject to the following conditions:

- (i) one of the bailors should be the family members of



the petitioner, who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reasons will entail his cancellation of bail by the Trial Court itself;

(iii) he shall appear before the concerned police station every fortnight for next six months to mark his presence;

(iv) he shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, failing which the State shall be at liberty to take steps for cancellation of his bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

With the aforesaid observations, the bail application is allowed.

**(Rajiv Roy, J)**

Ravi/-

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