

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33123 of 2022

Arising Out of PS. Case No.-26 Year-2022 Thana- NAUTAN District- West Champaran

Rohit Kumar Son of Lalan Ram Resident of Village - Gurwaliya Pandey Tola,
P.s.- Manuapul, Distt.- West Champaran.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

Appearance :
For the Petitioner : Mr. Anant Kumar Mishra, Advocate
For the State : Mr. A.G. APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 13-12-2022 Heard learned counsel appearing on behalf of
the petitioner and learned APP appearing on behalf of the State.

The petitioner seeks bail in connection with Nautan P.S. Case No.26 of 2022 registered for the offence under Sections 366(A) and 34 of the Indian Penal Code and Section 8 of POCSO Act.

The accused/petitioner is named in the F.I.R. and is in custody since 04.04.2022.

The allegation against the petitioner is to kidnap the



minor daughter of informant, alongwith other co-accused persons for the purpose of illicit intercourse.

Learned counsel appearing on behalf of the petitioner submitted that petitioner have been falsely implicated in this case arising out of family dispute. It is submitted that there is no allegation of sexual assault and kidnapping against this petitioner as per statement of victim recorded u/s 164 of the Cr.P.C. While concluding the argument, it is submitted that investigation of this case has been completed, for which, charge-sheet has already been submitted, as such, there is no chance of tampering with the evidence.

Learned APP appearing on behalf of the State, opposes the prayer for bail.

In view of the facts and circumstances as mentioned above as allegation of sexual assault and kidnapping is not available against this petitioner as per statement of victim recorded u/s 164 of the Cr.P.C coupled with the fact that chargesheet has already submitted, let above named petitioner directed to be released on bail in connection with Nautan P.S. Case No.26 of 2022 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge POCSO-cum-Addi-



tional District Judge-VI, Bettiah, West Champaran/concerned
court, subject to the conditions as mentioned under Section
437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

S.Tripathi/-

U		T	
---	--	---	--

