

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46164 of 2022

Arising Out of PS. Case No.-41 Year-2022 Thana- DAWATH District- Rohtas

Rupesh @ Bablu Ram S/O Late Sipahi Ram Resident Of Village- Chatra,
P.S.- Dawath, District- Rohtas.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar Singh, Advocate

For the Opposite Party/s : Mr. Ram Anurag Singh, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 06-12-2022 The learned counsel for the petitioner is directed to
remove all the defects pointed out by the Stamp Reporter within
one month.

Heard learned counsel for the petitioner and the
learned APP for the State.

Petitioner seeks regular bail in connection with
Dawath P.S. Case No. 41 of 2022 registered for the offences
punishable under Sections 366(A), 120(B) and 34 of the Indian
Penal Code and under Sections 4 and 8 of POCSO Act.

As per the prosecution, the informant's minor
daughter aged about 17 years was kidnapped by this petitioner.

The main submissions advanced by the learned
counsel Mr. Anil Kumar Singh appearing for the petitioner are
that the allegation made in the FIR is totally false in fact the



petitioner and the victim girl are co-villager and teenaged boy and girl who had fallen in love due to which both fled away from their house with their own consent and the main allegation made by the victim before the Judicial Magistrate was that the petitioner denied to solemnize marriage with her and during the course of investigation the victim girl denied for medical examination. Further submission is that the petitioner is a student of B.A Part-I and has been languishing in jail since 20.03.2022 having clean antecedent. Further submission is that as per the FIR the alleged occurrence came in the knowledge of the informant on 05.02.2022 but the FIR was lodged on 05.03.2022 and the said delay was not explained in the FIR which also shows that the informant himself was in the impression that the petitioner and his daughter had fled away due to love affair.

Learned APP Mr. Ram Anurag Singh appearing for the State has opposed the bail prayer.

Having regard to the facts and circumstances of this case, considering the above submissions and mainly the petitioner's young age and his custody period and stage of his case, in the opinion of this Court a lenient approach can be taken in respect of the petitioner's prayer, let the petitioner be



released on bail on furnishing bail bond of Rs.10,000/-(Ten
Thousand) with two sureties of the like amount each to the
satisfaction of the concerned Court in connection with Dawath
P.S. Case No. 41 of 2022.

(Shailendra Singh, J.)

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