

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56322 of 2021

Arising Out of PS. Case No.-92 Year-2021 Thana- RAMNAGAR District- West Champaran

Arbind Sah Son of Sukat Sah Resident of Village - Sonkhar, Police station -
Ramnagar, District - West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sachida Nand Rai, Advocate

For the Opposite Party/s : Mr. Ram Sumiran Rai, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 15-10-2022 Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with
Ramnagar P.S. Case No. 92 of 2021 registered for the offence
under Sections 363, 366(A), 504 and 34 of the Indian Penal
Code and under Section 08 of the Protection of Children From
Sexual Offences Act (POCSO Act)

The accused/petitioner is named in the F.I.R. and is in
custody since 17.03.2021.

The allegation against the petitioner is to kidnap the
minor daughter of the informant, alongwith other co-accused
persons for the purpose of illicit intercourse.



Learned counsel appearing on behalf of the petitioner submitted that the allegation is completely false, as raised against this petitioner through present F.I.R., for the reason that same is founded over neighbourhood disputes and differences. It is further submitted that even victim, after recovery, not named this petitioner and, also, completely denied the occurrence as she went on her own to the house of her “Mausi”, as stated through her statement recorded under Section 164 of the Cr.P.C. While concluding the argument, it has been submitted that petitioner is a man of clean antecedent and moreover, investigation has been completed, for which, charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP opposes the prayer of bail.

Considering the facts and circumstances as mentioned above, as allegation of sexual assault and kidnapping is absent in the statement of victim, as recorded under Section 164 of the Cr.P.C. coupled with the fact that charge-sheet has been submitted, let the petitioner, above named, is directed to be released on bail in connection with Ramnagar P.S. Case No. 92 of 2021 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the



satisfaction of learned Additional District and Sessions Judge 7th
-cum-Special Judge (POCSO Act), Bettiah, West
Champaran/concerned court, subject to the conditions as
mentioned under Section 437 (3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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