

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60875 of 2021

Arising Out of PS. Case No.-349 Year-2019 Thana- BETTIAH CITY District- West
Champaran

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Sonu Sushant @ Sonu Sushaat, Son Of Kapil Sahani Resident Of Village -
Sonarsa, Police Station - Harsidhi, District - East Champaran.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anant Kumar Mishra
For the Opposite Party/s : Mr. Ramchandra Sahni

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 25-04-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case registered for the
offences punishable under Sections 363, 366(A) of the Indian
Penal Code and Section 8 of the POCSO Act.

The learned counsel for the petitioner submits that the
petitioner is in custody since 03.07.2021, charge-sheet has been
submitted in this case and has antecedent of one case.

The learned counsel for the petitioner further submits
that the informant alleges that his minor daughter was
kidnapped by eight named accused persons including the
petitioner while she was staying in the house of informant's
brother-in-law (Mama) and had appeared in Class- Xth



examination. He further alleges that kidnapping was done with a view to marry and also to use the victim for some illegal work.

The learned counsel for the petitioner submits that petitioner has been falsely implicated in the present case. The petitioner and the victim were in love and thus, she eloped. It is further submitted that even the victim in her statement under Section 164 of the Cr.P.C., though has supported the prosecution case, but from perusal of her statement, it would manifest that in a way, she has supported the petitioner by not alleging that she was assaulted or sexually exploited. It is also submitted that the petitioner is young boy of 19 years and the victim has been assessed in between 15-17 years, as such, she had reached the age of discretion for taking decision on her volition understanding the consequences of her action. It is submitted that it was an under parental pressure that she made her statement under Section 164 of the Cr.P.C. though not alleges anything against the petitioner regarding sexually exploited.

Learned A.P.P. opposes the bail application.

Considering the fact that the petitioner is in custody, charge-sheet has been submitted in this case and is a young boy of 19 years and taking into consideration the submissions made by the learned counsel for the petitioner, the petitioner, above-



named, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Bettiah Town P. S. Case No.349 of 2019.

The application stands allowed.

(Satyavrat Verma, J)

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