

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62140 of 2021**

Arising Out of PS. Case No.-93 Year-2020 Thana- INARWA District- West Champaran

AJAY KUMAR Son of Ekbal Patel @ Ekbal Raut Resident of Village -
Pipari, P.S.- Inarwa, District - West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar Shrivastava

For the Opposite Party/s : Mr.Upendra Kumar

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER**

2 12-07-2022 Heard learned counsel for the petitioner and learned APP
for the State.

The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Inerwa P.S. Case no. 93 of 2020 instituted for the offence under Sections 366A/363 of the Indian Penal Code and Section 8 of the POCSO Act.

As per allegation in the FIR, on 15.11.2020 at about 6.30 clock in the morning his niece aged 13 years all of a sudden disappeared from the house. It is further alleged that there is strong suspicion that petitioner has kidnapped her for the purpose of marriage.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. Statement of victim girl was recorded under Section 164 Cr.P.C. in



which she has stated that without giving information, she went to her aunt's house. She has not taken the name of the petitioner in her statement. After finding the case not to be true against the petitioner, final form has been submitted by the police, which is annexed as Annexure-3 to the petition.

Learned APP appearing for the State has opposed the prayer of Bail.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Inerwa P.S. Case no. 93 of 2020, he will be enlarged on bail 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 & Sessions Judge VII-cum-Special Judge (POCSO), West Champaran, Bettiah subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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