

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52602 of 2022

Arising Out of PS. Case No.-211 Year-2022 Thana- HARSIDHI District- East Champaran

Jitendra Prasad Alias Jitendra Kumar Son Of Mohan Prasad Resident Of
Manikpur Seraya, P.S.- Harsiddhi, District- East Champaran

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Rajesh Ranjan, Advocate

For the Opposite Party/s : Mr.Vinod Shanker Modi, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 16-12-2022 Heard learned counsel for the petitioner and learned
APP for the State.

Learned counsel for the petitioner is directed to
remove the defect(s), as pointed out by the office, within a
period of four weeks.

The petitioner seeks bail in a case instituted for the
offences under Sections 323, 379, 376, 366(A), 504, 120(B)/34
of the Indian Penal Code read with sections 4, 6 and 10 of
POCSO Act.

Prosecution allegation, in short, is that the minor
daughter of the informant was abducted by the accused persons
for the purpose of marriage.

It has been submitted on behalf of the petitioner that
the petitioner is in custody since 30.07.2022 and has got no



criminal antecedent. Charge-sheet/prosecution report has been submitted in this case. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. The present case has been instituted due to mistake of fact. On recovery, the statement of the victim has been recorded under Section 164 Cr.P.C. in which she has stated that she left the house out of her own will and got married with the petitioner and she wants to continue married conjugal life with the petitioner. The age of the victim was assessed as 19 years by the Medical Board.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, it is directed that the petitioner, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned 6th Additional Sessions Judge-cum- Special Judge, POCSO, Motihari, East Champaran in connection with Harsidhi P.S. Case No. 211 of 2022.

(Sudhir Singh, J)

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