

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66529 of 2021**

Arising Out of PS. Case No.-27 Year-2021 Thana- SIKARPUR District- West Champaran

SK. AARAS @ SHAIKH ARAS S/o S.K. Mohmad Jaan @ Late Shaikh
Mohammad Jan R/o village- Baishakhawa, P.S.- Gopalpur, District- West
Champaran

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Mrityunjay Kumar, Advocate
For the Opposite Party/s : Mr.Md. Fahimuddin, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 12-05-2022 Heard counsel for the petitioner, the State and the
informant.

The petitioner is in custody in connection with
POCSO Case No. 20 of 2021, arising out of Shikarpur P.S.
Case No. 27 of 2021 registered under sections 363, 366(A),
367 of the Indian Penal Code and 12/14 of the POCSO Act
which has been lodged on the basis of Complaint Case No.
896C of 2020.

The petitioner is the father of accused Sartaj and as
per the allegation when the informant failed to locate the
victim girl he went to Sartaj's house where his family
members denied the same and he apprehended that she has



been kidnapped.

The counsel for the petitioner on the basis of supplementary affidavit filed by him has drawn this Court's attention to the statement made by the victim girl under section 164 of the Cr.P.c. wherein she has stated that she is 20 years old and had left the place on her own with accused Sartaj and they went to Delhi where they tied nuptial knots. Earlier the family members of the accused Sartaj were not ready to keep her but after the arrest of the petitioner herein, now they are willing to allow her to come to their home.

Taking into account the statement made by the victim girl under section 164 of the Cr.P.C. wherein she has stated that she is 20 years old had gone to Delhi on her own, the petitioner is father of the accused Sartaj and has no criminal antecedent and the fact that charge-sheet has already been submitted; this Court is inclined to grant him the privilege of bail.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of Additional District and Sessions Judge-VIIth cum Special Judge POCSO Act, West Champaran at Bettiah, in connection with POCSO



Case No. 20 of 2021, arising out of Shikarpur P.S. Case No.
27 of 2021.

Anything recorded in this bail order shall in no
way come in course of trial which shall be decided on its
own merit.

With the aforesaid observations, the bail
application is allowed.

(Rajiv Roy, J)

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