

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7373 of 2023

Arising Out of PS. Case No.-211 Year-2021 Thana- GAUNAHA District- West Champaran

JAIRAM PATEL @ JAY RAM PATEL S/O LATE BALIRAM PATEL
Resident of Village- Lachhnauta, P.S.- Gaunaha, District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey

For the Opposite Party/s : Mr.Shantanu Kumar

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 03-05-2023 Heard the parties.

Petitioner seeks regular bail in connection with Gaunaha PS Case No. 211 / 2021 dated 04-10-2021 registered under Section 366A, 379, 34 of the IPC & Section 8 of the POCSO Act.

As per the FIR on 23/09/2021 while the informant had gone for a walk along with his wife, he saw that petitioner was abducting his minor daughter and his daughter was taken on motorcycle by him.

Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case due to village rivalry. He next submits that there is delay of eleven days in lodging the F.I.R. inasmuch as from perusal of the FIR it appears that the date of occurrence is 23/09/2021 but the FIR



has been lodged on the basis of written report by the informant after delay of about eleven days on 04/10/2021. Referring to Annexure-2 to this bail application learned counsel submits that statement of the victim girl was recorded under Section 164 Cr.P.C. in which she has categorically stated that she had gone on her own free will along with her friends. The petitioner is in custody since 29th January 2022 having no criminal antecedent.

Regard being had to the submission made by the parties, taking into consideration the material on record and the statement of the victim girl recorded under Section 164 of the Cr.P.C., I am inclined to grant regular bail to the petitioner.

Let the petitioner, above named, be released on regular bail on furnishing bail bond of Rs. 10000/- (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), West Champaran at Bettiah in connection with Gaunaha PS Case No. 211 / 2021.

(Anil Kumar Sinha, J)

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