

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7230 of 2023

Arising Out of PS. Case No.-531 Year-2022 Thana- BETTIAH CITY District- West
Champaran

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Rambabu Pal S/O Dinesh Pal Resident of Village- Santghat, Ward No.- 14,
P.S.- Bettiah Town, District- West 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.Rana Randhir Singh

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 12-05-2023 Learned counsel for the petitioner has filed the
supplementary affidavit today in the court.

Let it be kept on record.

Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is apprehending his arrest in a case
registered for the offence punishable under Sections 363, 366/34
of the Indian Penal Code and Section 8 of the POCSO Act.

Petitioner is said to have kidnapped the daughter of
the informant for the purpose of marriage.

Learned counsel for the petitioner submits that the
petitioner is innocent and has been falsely implicated in this
case. He submits that occurrence took place on 12.07.2022 but
the FIR has been lodged on 17.07.2022 after delay of 5 days
without explaining any reasonable cause of delay. He submits
that the victim in her statement recorded under Section 164 of



the Cr.P.C. has not supported the prosecution case. He submits that the victim is a major lady, hence, Section 8 of the POCSO Act is not applicable against the petitioner. He submits that there is contradiction in the statement of the victim recorded under Sections 164 and 161 of the Cr.P.C. He further submits that petitioner has no criminal antecedent as stated in para-3 of this application.

Learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances of the case and the statement of the victim recorded under Section 164 of the Cr.P.C., let the above named petitioner in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Bettiah Town P.S. Case No. 531 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

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(Anjani Kumar Sharan, J)

