

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9434 of 2023

Arising Out of PS. Case No.-161 Year-2022 Thana- JOGAPATTI District- West Champaran

JITAN SAH S/O RAMJEE SAH R/v- Pathkhauli, P.S.- Yogapatti, District-
West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Brij Kishor Mishra

For the Opposite Party/s : Mr.Jai Narain Thakur

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 25-04-2023 Heard learned counsel for the parties.

The petitioner apprehends his arrest in a case registered for the offence under Sections 363, 366(A) of the Indian Penal Code and Section 12 of the POCSO Act.

It is submitted on behalf of petitioner that during investigation, the victim girl was recovered and she has clearly stated that nobody has kidnapped her and she has solemnized marriage with this petitioner out of her own sweat will. Victim is major and both of them are living as husband and wife in Punjab. It is next submitted that F.I.R. has been lodged after a delay of 18 days without any plausible explanation of delay. Petitioner has got clean antecedent.

Learned A.P.P. for the State has opposed the prayer for anticipatory bail.



Considering the aforesaid facts and circumstances, in the event of arrest/surrender within a period of six weeks from today, let the above named petitioner be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge VI cum Special Judge – POCSO, Bettiah, District – West Champaran in connection with Yogapatti P.S. Case No. 161 of 2022, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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