

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12195 of 2023**

Arising Out of PS. Case No.-176 Year-2022 Thana- BHITAHA District- West Champaran

RAVI KUMAR GUPTA @ SURAJ S/O BINOD KUMAR GUPTA R/v-
Rupahi, P.S.- Bhitaha, District- West Champaran Petitioner/s
Versus

The State Of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Gupta
For the Opposite Party/s : Mr. Binod Kumar

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER**

2 05-05-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 363, 366(A)/34 of the Indian Penal Code and Section 8 of the POCSO Act.

The prosecution case, in brief, is that the informant alleged that her daughter, aged about 15 years, went to tuition but she did not return. Thereafter, the informant came to know that her daughter has been kidnapped by the accused persons thereafter, this case has been lodged.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. The victim girl was recovered and her statement has been recorded under section 164 of Cr.P.C. which has been annexed as Annexure-2 wherein, she did not



support the prosecution version and stated that she went with this petitioner to Gorakhpur and they had been living there but when she knew about this case, both of them were returning to home but in the way, police arrested the petitioner. The victim did not whisper any complicity of the petitioner in the alleged offence. It is further submitted that the petitioner has got no criminal antecedent and languishing in judicial custody since 1.10.2022.

Learned APP appearing for the state has opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Bhitaha P.S. Case No. 176 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Addl. District and Sessions Judge-VII-Cum-Special Judge POCSO Act, West Champaran.

(Sunil Kumar Panwar, J)

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