

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23740 of 2023

Arising Out of PS. Case No.-221 Year-2022 Thana- MAHESI District- East Champaran

Subhash Kumar Son Of Naresh Rai Resident Of Village- Mojahida, Ps-
Mehsi, Distt- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bal Govind Sharma

For the Opposite Party/s : Mr.Rajiv Nayan

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 04-07-2023 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, 366A/34 of the Indian Penal Code, Section 8 of the POCSO Act and Sections 3(1)(r)(s) of the SC/ST Act.

Petitioner is said to have kidnapped the daughter of the informant.

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 28.06.2022 but the FIR has been lodged on 14.07.2022 after delay of 16 days without explaining any reasonable cause of delay. He submits that the medical board has assessed the age of the victim to be 18-19 years. He submits that the statement of the victim has



been recorded under Section 164 Cr.P.C. in which she has not supported the prosecution case. 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, 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 Mehshi (Jai Bajrang O.P.) P.S. Case No. 221 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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