

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25749 of 2023

Arising Out of PS. Case No.-598 Year-2022 Thana- RAMNAGAR District- West Champaran

=====

DEVENDRA KUMAR @ DEVENDRA MAHTO S/O DEVANAND
MAHTO Resident of Village- Serhava Bhuski, P.S.- Matiyara, District- West
Champaran at Bettiah.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Shashank Shekhar

For the Opposite Party/s : Mr. Anish Chandra

=====

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 14-07-2023 Heard learned Counsel for the petitioner and
learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail,
arises out of Ramnagar Police Station Case No. 598 of 2022,
dated 22.12.2022, disclosing offences under Sections 363/366(a)
and 511 of the Indian Penal Code and Sections 8/12 of the
POCSO Act.

The prosecution story, on the basis of the written
First Information Report, is that the petitioner allegedly
abducted the minor daughter of the informant.

Learned Counsel for the petitioner submits that the
petitioner has not committed any offence in the manner alleged
inasmuch as during the course of investigation it has been



revealed that the daughter of the informant had left her house at her own will as she was being scolded by her parents for studies. He further submits that statement of the victim girl was recorded during the course of investigation under Sections 161 and 164 of the Criminal Procedure Code, in which she has stated that she had gone to the house of her aunt (bua). He next submits that after coming to know about the case having being lodged by her father, while she was returning, she was taken into custody by the police where she has given her statement that she had gone to her aunt's house on her own will.

Having regards to the submissions made on behalf of the parties and taking into consideration the material available on record and the submission of the learned counsel pertaining to the statement of the victim girl recorded during the course of investigation under Sections 161 and 164 of the Criminal Procedure Code, I am inclined to grant the petitioner privilege of anticipatory bail.

This application is, accordingly, allowed.

Let the petitioner, above named, in the event of his arrest or surrender before the Court below within four weeks, be released 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 VII-cum-Special Judge, POCSO Act, West Champaran at Bettiah, in connection with Ramnagar Police Station Case No. 598 of 2022, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

ashwani/-

U	✓	T	✓
---	---	---	---

