

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28530 of 2023**

Arising Out of PS. Case No.-914 Year-2022 Thana- BETTIAH CITY District- West
Champaran

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Chandan Kumar Patel @ Chandan Kumar Son Of Achhelal Patel R/O-
Vaswariya, Ward No. 30, P.S.-BETTIAH (TOWN), Distt.-WEST Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Tepeshwar Sharma, Advocate
	:	Mr.Arvind Kumar, Advocate
For the Opposite Party/s	:	Mr.Narsingh Tanti,APP

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**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

3 21-07-2023 Heard learned counsel appearing for the petitioner
and the learned A.P.P. for the State.

2. The petitioner seeks bail, who is in custody since
04.01.2023 in connection with Bettiah Nagar P.S. Case No.
914 of 2022, F.I.R. dated 08.12.2022 registered for the
offence punishable under Section 366(A) of IPC and Sections
8/12 of the POCSO Act.

3. The prosecution case as stated in the brief is that
on 05.12.2022 at about 10.30 A.M. all the FIR named accused
persons including the petitioner have collectively abducted the
daughter of the informant aged about 15 years by persuading
her for the wrong purpose of marriage.



4. Learned counsel appearing for the petitioner submits that the petitioner has clean antecedent and he has falsely been implicated in the present case. Further submits that the allegation as alleged in the FIR is false and fabricated and the petitioner has not committed any offence as alleged in the FIR. Further submits that the victim was recovered and her statement under Section 164 Cr.P.C. was recorded in which she has not supported the prosecution version as alleged in the FIR and the police, after investigation, submitted the chargesheet against the petitioner and the petitioner is in custody since 04.01.2023.

5. Learned APP for the State, on the other hand, has opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts, let the petitioner, above named, 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 Special Judge, POCSO-cum-A.D.J.-VI, West Champaran, Bettiah in connection with Bettiah Nagar P.S. Case No. 914 of 2022, with the following conditions:-

(I) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the



Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(II) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(III) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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