

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34108 of 2023

Arising Out of PS. Case No.-297 Year-2023 Thana- TURKAULIYA District- East
Champaran

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Manoj Baitha Son Of Late Munna Baitha Resident Of Village- Belwa Ray,
Belghati, Ps- Turkauliya, Distt- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kundan Rathore@ Kundan Kumar, Advocate
For the Opposite Party/s : Dr.Mrityunjaya Kr.Gautam, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 26-06-2023 Heard learned counsel appearing on behalf of the

petitioner and learned counsel appearing on behalf of the State.

The petitioner seeks bail in connection with

Turkauliya P.S. Case No. 297 of 2023 registered for the offence

under Sections 370, 370(A), 371, 372, 373, 504, 506/34 of the

Indian Penal Code, under Sections 75 and 79 of the J.J. Act and

under Sections 06 and 08 of the POCSO Act.

The accused/petitioner is named in the F.I.R. and is in

custody since 26.03.2023.

The allegation against the petitioner is to kidnap the

minor daughter of informant and there is also allegation of

human trafficking.

Learned counsel appearing on behalf of the petitioner



submitted that petitioner falsely implicated with present case for the reason that the mother of alleged minor victim work with petitioner in his *orchestra* having money dispute. It is submitted that occurrence took place out of recovery of Rs. 35,000/- (Rupees Thirty-five Thousand only) which was alleged to be taken as an advance by mother of the victim for the performance of victim in *orchestra*, where out of certain disputes, present false implication was raised against this petitioner. While concluding the argument, it has been submitted that petitioner found involved in one more criminal case subsequent to present case and, therefore, he was shown as a man of clean antecedent at the time of filing of present bail petition and moreover, investigation of this case has been completed, for which, charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP opposes the prayer of bail.

Considering the facts and circumstances as mentioned above, as apparently informant and petitioner are known to each other, having money dispute, being employer and employee, coupled with the fact that charge-sheet has already submitted, where petitioner is in custody since 26.03.2023, let the petitioner, above named, is directed to be released on bail in



connection with Turkauliya P.S. Case No. 297 of 2023 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court of 6th Additional Sessions judge-cum-Special Judge, POCSO, Motihari, East Champaran/concerned court, subject to the conditions as mentioned under Section 437 (3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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