

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36042 of 2023

Arising Out of PS. Case No.-392 Year-2018 Thana- NAUTAN District- West Champaran

=====

Guddu Prasad @ Guddu Kumar Son of Pradeep Kumar Singh @ Pradeep Prasad @ Pradeep Prasad Kushwaha Resident of Village Turkaulia, Nimwa Tola, PS- Turkaulia, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Umesh Kumar Gupta, Advocate

For the Opposite Party/s : Mr. Yogendra Kumar, APP

=====

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 22-06-2023 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 Nautan P.S. Case No. 392 of 2018 registered for the offence under Sections 363, 365, 366-A/34 of the Indian Penal Code and under Section 06 of the POCSO Act.

The accused/petitioner is named in the F.I.R. and is in custody since 27.04.2023.

The allegation against the petitioner is to kidnap the minor grand daughter of the informant, aged about 15 years, for the purpose of illicit intercourse/marriage.

Learned counsel appearing on behalf of the petitioner submitted that the present implication was raised out of failed



love affairs as same was not accepted by the parents of the victim girl. It is submitted that during the course of investigation victim stated that she went on her own with petitioner and solemnized her marriage out of her own sweet will. It is submitted that victim girl is living happily as wife of this petitioner and she is the mother of one female baby. While concluding the argument, it has been submitted that petitioner is a man of clean antecedent 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 and by taking note of the fact as victim negated the allegation of kidnapping and sexual assault coupled with the fact that charge-sheet has been submitted, where petitioner is in custody since 27.04.2023, accordingly, the petitioner, above named, is directed to be released on bail in connection with Nautan P.S. Case No. 392 of 2018 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge-VI-cum-Special Judge (POCSO), West



Champaran, Bettiah/concerned court, subject to the conditions
as mentioned under Section 437 (3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

pooja/-

U		T	
---	--	---	--

