

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.38479 of 2023**

Arising Out of PS. Case No.-115 Year-2023 Thana- FALKA District- Katihar

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Pappu Kumar Sah @ Pappu Kumar, Son of Kailash Sah, Resident of village -  
Tikapatti, P.S. - Tikapatti, Distt. - Purnea

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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**Appearance :**

For the Petitioner/s : Mr. Sharda Nand Mishra, Advocate

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

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA**  
**ORAL ORDER**

2      19-07-2023                      Heard learned counsel for the petitioner and  
learned Additional Public Prosecutor for the State.

2.              The accused/petitioner seeks bail in connection  
with Falka (Pothia O.P.) P.S. Case No.115 of 2023 registered for  
the offences punishable under Sections 363, 366-A read with 34  
of the Indian Penal Code.

3.              The accused/petitioner is named in the FIR and is  
in custody since 21.04.2023.

4.              Allegation against the petitioner is to kidnap the  
minor daughter of informant aged about 16 years for the  
purpose of illicit intercourse/marriage.

5.              It is submitted by learned counsel that implication  
of petitioner is false for the reason that his love affairs with



alleged minor daughter of informant was not accepted by her family including informant. It is submitted that after recovery, the statement of victim girl was recorded under Section 164 of the Cr.P.C., where she completely denied the allegation of kidnapping and sexual assault rather she stated that she accompanied petitioner out of her own sweet will upto Purnea, where she was apprehended by police. While concluding argument, it is submitted that the petitioner is a man of clean antecedent and moreover investigation of this case has been completed for which, charge-sheet has been submitted and, as such, there is no chance of tampering with the evidence.

6. Learned APP opposes the prayer for grant of bail to the petitioner.

7. In view of above-mentioned facts and circumstances, as victim negated allegation of sexual assault and kidnapping against petitioner, coupled with the fact that charge-sheet has already submitted, where petitioner is in custody since 21.04.2023, accordingly, the petitioner, above-named, is directed to be released on bail furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate-1st Class, Katihar in connection with Falka (Pothia



O.P.) P.S. Case No.115 of 2023, subject to the conditions as laid  
down under Section 437(3) of the CrPC.

**(Chandra Shekhar Jha, J.)**

Sanjeet/-

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