

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40202 of 2022

Arising Out of PS. Case No.-648 Year-2020 Thana- CHANPATIA District- West Champaran

AMIT KUMAR RAM Son of Sri Prahlad Ram Resident of Village -
Kaithwalia, Nawka Tola, P.S.- Chanpatia, District - West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma, Adv.

For the Opposite Party/s : Md. Mushtaque Alam, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 20-01-2023 Heard learned counsel for the parties.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 363, 366A and 34 of the Indian Penal Code and section 8 of the POCSO Act.

As per the prosecution case, the informant states that the brother-in-law (sala) of the younger son of the informant is said to have kidnapped the daughter of the informant.

It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the case and the same would be evident from the contents of the statement of the informant's daughter recorded under section 164 Cr.P.C. wherein she has not supported the prosecution case and has categorically stated that she went with the petitioner and married the petitioner out of her own free will. The petitioner is



in custody since 7.3.2022 and has no criminal antecedent.

Heard learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the nature of material that has transpired in course of investigation specially the statement of the informant's daughter under section 164 Cr.P.C. wherein she has not supported the prosecution case, the petitioner being in custody for 10 months since 7.3.2022, not having any criminal antecedent and chargesheet having been submitted in the case, the Court directs the petitioner to be enlarged on bail in connection with Chanpatia P.S. Case no.648 of 2020 on furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge VI-cum-Special Judge, under POCSO Act, West Champaran at Bettiah.

(Partha Sarthy, J)

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