

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44928 of 2023

Arising Out of PS. Case No.-75 Year-2023 Thana- CHHATAPUR District- Supaul

Satyam Kumar Son Of Shankar Jha Resident Of Village-Chunni Ward No. 03,
Police Station-Chhatapur, District-Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prafull Chandra Thakur, Advocate

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

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

4 16-08-2023 Learned counsel for the petitioner is permitted to remove defect (s), as pointed out by the office, if any, within a period of four weeks on resumption of physical mode.

2. Heard learned counsel for the petitioner and learned A.P.P for the State.

3. The petitioner has preferred this application for grant of regular bail in connection with Chhatapur P.S. Case No. 75 of 2023 dated 12.03.2023 registered for the offences punishable u/ss 363 and 366A read with section 34 of the Indian Penal Code and sections 8 and 17 of the POCSO Act.

4. As per the prosecution case, the petitioner is alleged to have kidnapped the informant's daughter by enticing her and when the informant and his family members went to complain



thereafter the co-accused persons started abusing them.

5. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. There was love affair between the parties. The medical board assessed the age of the victim in between 17-19 years. There is no finding of sexual assault as per Annexure-2 filed on behalf of the petitioner. The medical report does not support the allegation of the prosecution. The victim girl has deposed before the learned court below that no one had kidnapped her and the petitioner did not commit any wrong with her and she went with the petitioner of her own will. Learned counsel has further submitted that the victim was not forced to have illicit intercourse with another person. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 13.03.2023.

6. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

7. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court



concerned, Supaul in connection with Chhatapur P.S. Case No. 75 of 2023, with the condition/s:-

(i). The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to cancelled.

8. The application stands allowed.

(Chandra Prakash Singh, J)

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