

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59155 of 2023**

Arising Out of PS. Case No.-4 Year-2023 Thana- THAKRAHA District- West Champaran

Ajay Sharma, Son Of Shivnath Sharma, Resident Of Village - Batrauli, Ps- Bishunpura,
Dist- Kushinagar, UP

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

For the Petitioner/s : Mr.Sanjeev Kumar, Advocate
For the Opposite Party/s : Mr.Satya Nand Shukla, APP

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

ORAL ORDER

2 22-09-2023 Learned counsel for the petitioner is permitted to remove the defect(s), as pointed out by the office, if any, within a period of three weeks from today.

2. Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

3. The petitioner is apprehending his arrest in connection with Thakraha P.S. Case No. 4 of 2023 dated 13.01.2023 registered for the offences punishable under Sections 363, 366A read with Section 34 of the Indian Penal Code and under Sections 4/8 of the POCSO Act.

4. As per the prosecution case, the petitioner and the co-accused persons are alleged to have kidnapped the minor daughter of the informant when she went to attend the call of nature.

5. Learned counsel for the petitioner has submitted that the petitioner is innocent and has been falsely implicated in this case. There was love affair between the co-accused Deepak



Sharma and the victim. The name of the petitioner in this case has been implicated merely because he is the brother of the co-accused Deepak Sharma. Learned counsel has further submitted that there is nothing on record which shows that the victim was forced to have any illicit intercourse with another person. The petitioner has no criminal antecedent as stated in para 3 of the bail petition.

6. Learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioner.

7. Considering the aforesaid facts and circumstances of the case, let the above named petitioner, in the event of his arrest/ surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail bond of Rs. 20,000/-(Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Bettiah, West Champaran in connection with Thakraha P.S. Case No. 4 of 2023, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure.

8. The application stands allowed.

(Chandra Prakash Singh, J)

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