

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70458 of 2022

Arising Out of PS. Case No.-470 Year-2021 Thana- HARSIDHI District- East Champaran

RAJ ALAM Son of Alil Ahmad R/O Village - Harsiddhi Bazar, P.S.-
Harsiddhi, District - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey, Advocate

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

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

ORAL ORDER

2 12-04-2023 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.

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

The petitioner has preferred this application for grant of regular bail in connection with Harsiddhi P.S. Case No. 470 of 2021 dated 09.12.2021 registered for the offences punishable under sections 363, 366A read with section 34 of the Indian Penal Code and sections 8 and 12 of POCSO Act.

As per the prosecution case, the petitioner and the co-accused persons along with five other unknown persons are alleged to have kidnapped the minor daughter of the informant.



Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. Learned counsel has submitted that the victim in her statement recorded under section 164 of the Cr.P.C. has stated that she left her parental house and went to the house of the petitioner. There was love affair between the parties. Learned counsel has further submitted that the victim was not forced to have illicit relationship with another person. Charge sheet has already been submitted. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 21.10.2022.

Learned A.P.P. for the State has vehemently opposed the prayer of bail petition of the petitioner by submitting that as per the educational document, on the date of alleged occurrence the victim was a minor girl.

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, East Champaran at Motihari in connection with Harsiddhi P.S. Case No. 470 of 2021, with the condition:-



1. 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 bonds of the petitioner is liable to be cancelled.

The application stands allowed.

(Chandra Prakash Singh, J)

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