

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.70801 of 2022**

Arising Out of PS. Case No.-198 Year-2022 Thana- KHAGAUL District- Patna

CHANDRA SHEKHAR KUMAR @ CHANDRASHEKHAR KUMAR SAH  
Son of Haricharan Sah R/V- Hariharpur, Ward No. 3, P.S- Langadi, Dist-  
Parsa (Nepal )

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Bimlesh Kumar Pandey, Adv.  
For the Opposite Party/s : Mr. Dinesh Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL ORDER**

3      28-04-2023                      Heard learned counsel for the petitioner and learned  
Additional Public Prosecutor for the State.

Petitioner seeks bail, who is in custody since  
17.07.2022 in connection with Khagaul P.S. Case No. 198/2022,  
F.I.R. dated 17.07.2022, for the offences punishable under  
Sections 363, 365, 34 of the Indian Penal Code and Sections 8  
and 12 of POCSO Act.

According to prosecution case, the petitioner along  
with other co-accused namely, Radhe Shyam Sahni are alleged  
to have kidnapped the minor daughter of the informant with a  
bad intention.

Learned counsel for the petitioner submits that  
petitioner has clean antecedent and he has falsely been



implicated in the present case. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the victim was recovered and her statement under Section 164 of the Cr.P.C. was recorded, in which, she has categorically stated that the petitioner has not committed any wrong with her. He further submits that the police after investigation submitted the charge sheet against the petitioner and the petitioner is in custody since 17.07.2022.

Learned Additional Public Prosecutor for the State on the other hand has vehemently opposed the prayer for bail of the petitioner.

Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail, after framing of charge, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-7th-cum-Exclusive Special Court (POCSO Act), Patna, in connection with Khagaul P.S. Case No. 198/2022, subject to the following conditions:-

1. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient



reason, his bail bond shall be cancelled by the Court below.

2. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

3. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

**(Rajesh Kumar Verma, J)**

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