

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76153 of 2023

Arising Out of PS. Case No.-327 Year-2022 Thana- LAURIA District- West Champaran

Ram Shankar Kumar Son of Dinesh Mistri Resident Of Village- Malawan,
Police Station- Sare, District- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arun Kumar, Advocate

For the Opposite Party/s : Mr. Jai Narain Thakur, A.P.P.

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

ORAL ORDER

2 30-11-2023 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 Lauria P.S Case No. 327 of 2022 dated

24.10.2022 registered for the offence punishable u/ss 366A

of the Indian Penal Code and under Section 8 of POCSO

Act.

4. As per the prosecution case, the informant

disclosed that a person used to call and message from a



Mobile No. 6299750023 are alleged to have kidnapped her minor daughter aged about 13 years with bad intention.

5. Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in this case only on suspicion. It is further submitted that the F.I.R. has been lodged after a delay of three days without giving cogent explanation. It is further submitted that there was love affair between the victim and the petitioner. It is further submitted that the victim was not forced to have any illicit relationship. Learned counsel has further submitted that the victim is recovered by police and she is not traceless. The petitioner has no criminal antecedent as stated in para 3 of the bail petition.

6. Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioner and submitted that the victim is a minor girl and supported the prosecution case in her statement recorded under Section 164 Cr.P.C.

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/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court concerned, Champaran at Bettiah in connection with Lauria P.S. Case No. 327 of 2022, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure.

8. The application stands allowed.

(Chandra Prakash Singh, J)

Nilmani/-

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