

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71771 of 2022

Arising Out of PS. Case No.-17 Year-2015 Thana- BHAPTIAHI District- Supaul

MD. JANNAT Son of Md. Wajul Resident of village - Jhilla Dumri, P.S.-
Bhaptiyahi, District - Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Mishra
For the Opposite Party/s : Mr.Prem Kumar Jha

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 26-06-2023 Heard learned counsel for the petitioner and the State.

Petitioner apprehends his arrest in a case registered for the offence punishable under Section 366A, 376 and some other ancillary Sections of the Indian Penal Code and u/s 4/6 of POCSO Act.

As per the prosecution case, this petitioner along with other accused persons kidnapped the minor daughter of the informant.

Learned counsel appearing for the petitioner submits that petitioner is innocent and has falsely been implicated in the case. It is further submitted that victim in her statement u/s 164 of the Cr. P.C. has not supported the case of prosecution and stated that she voluntarily eloped with this petitioner. The medical board assessed the age of victim between 18-19 years.



The police after investigation submitted final form as mistake of facts but the court below took cognizance against the petitioner and other accused persons. Petitioner has got clean antecedent.

Learned counsel appearing for the State opposes the prayer for anticipatory bail.

Considering the facts of the case, nature of accusation and clean antecedent of the petitioner, let the petitioner, above named, in the event of his arrest/ surrender within a period of six weeks from today shall be enlarged on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Additional Sessions Judge-VI-cum- Special Judge, POCSO Act, Supaul in connection with Bhaptiyahi PS case No. 17/ 2015, subject to conditions laid down u/s 438(2) of the Cr. P. C.

(Prabhat Kumar Singh, J)

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