

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75763 of 2023

Arising Out of PS. Case No.-79 Year-2023 Thana- PIPRA District- Supaul

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LALIT TANTI Son of Late Basudeo Tanti Resident of Village - Tetrahi,
Police Station - Pipra, District - Supaul

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shree Kant Pandey, Advocate.

For the Opposite Party/s : Mr. Atul Chandra, A.P.P.

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

ORAL ORDER

2 13-12-2023 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 Pipra P.S Case No. 79 of 2023(POCSO

Case No. 68 of 2023) dated 11.03.2023 registered for the

offences punishable u/ss 363, 366A read with 34 of the

Indian Penal Code. Later on Cognizance was taken u/ss

363, 365, 366A, 120B, 376 of the Indian Penal Code and

Sections 4, 6 and 17 of POCSO Act.



4. As per the prosecution case, the petitioner and the co-accused persons are alleged to have kidnapped the minor daughter and son of the informant.

5. Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in this case. It is further submitted that the minor son of the informant in his statement recorded under Section 164 Cr.P.C. has stated that the petitioner has no role in kidnapping and leveled allegation against co-accused *Ashish Kumar @ Chote Lal*. Learned counsel has further submitted that the victim girl in her statement recorded under Section 164 Cr.P.C. has explicitly stated that the accused petitioner along with other accused persons forcibly got the victims inside the four wheeler and subsequently, the petitioner got down from the vehicle. Learned counsel has further submitted that the Medical Board has assessed the age of the victim girl is in between 16 to 18 years. It is further submitted that the petitioner is a handicapped person, falsely implicated in this case to pressurize him to withdraw the Pipra P.S. Case No. 250 of 2022 dated 22.08.2022. 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.

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, Supaul in connection with Pipra P.S Case No. 79/ 2023(POCSO Case No. 68 of 2023), 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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