

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.784 of 2023

Arising Out of PS. Case No.-261 Year-2021 Thana- RAMNAGAR District- West Champaran

Praveen Kumar @ Praveen Kumar Baitha Son Of Yadolal Baitha Resident Of
Village- Nuniya Mahto Tola, P.S.- Pahadpur, District- East Champaran
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey
For the Opposite Party/s : Mr.Amit Kumar Rakesh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 27-03-2023 Heard learned counsel for the petitioner, learned APP
for the State and learned counsel for the informant.

The petitioner has filed the instant application for grant
of regular bail in connection with Ramnagar P.S. Case No. 261 of
2021 registered under sections 363, 366A and 34 of the Indian
Penal Code and Section 8 of POCSO Act.

Allegation against the co-accused persons including
this petitioner is that they kidnapped the sister of the informant
for the purpose of marriage, when she went to take tuition in the
house of this petitioner.

Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. He has
falsely been implicated in this case merely on suspicion. It is
further submitted that the statement of the victim was recorded
under Section 164 of the Cr.PC., in which she does not whisper



any complicity of the petitioner in this alleged offence, rather she stated that she went to the petitioner's house to marry him and later on she solemnized marriage with him out of her own sweet will. Her age has been assessed as 18 years in her deposition. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. He is languishing in judicial custody since 21.09.2022.

The application for bail is opposed by learned APP for the State and learned counsel for the informant.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as the custody of the petitioner, the Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Ramnagar P.S. Case No. 261 of 2021 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District and Sessions Judge 7th cum Special Judge POCSO, Bettiah, West Champaran.

(Sunil Kumar Panwar, J)

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