

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5389 of 2024

Arising Out of PS. Case No.-315 Year-2022 Thana- SIKARPUR District- West Champaran

Vikash Patel S/O Jinda Patel Village- Mangrahi, Ps. Shikarpur, Dist. West Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Musmat Laxmi Devi W/O Rajendra Chaudhary Village- Mangrahi, Ps. Shikarpur, Dist. West Champaran-845451

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Umesh Kumar Gupta, Advocate

For the Opposite Party/s : Mr. Brajendra Nath Pandey, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 10-04-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. Petitioner seeks regular bail in connection with Shikarpur P. S. Case No. 315/2022 in a case registered for the offences punishable under Sections 363, 366/34 of the Indian Penal Code and Sections 8 and 12 of the Protection of Children from Sexual Offences Act.

3. As per the prosecution case, this petitioner along with other F.I.R. named accused persons kidnapped the daughter of the informant for human trafficking.

4. Learned counsel for the petitioner submits that the victim in her statement recorded under Section 164 Cr.P.C. has



denied the prosecution case and has stated that she was in love with this petitioner from last two years and she voluntarily left the house and solemnized marriage with the petitioner and both are living together as husband and wife. Age of the victim is assessed as 18 years. Chargesheet has already been submitted against the petitioner. Petitioner is in custody since 23.08.2022.

5. Learned A.P.P. for the State vehemently opposes the bail application.

6. Considering the statement of the victim recorded under Section 164 Cr.P.C., period of custody and the fact that chargesheet has been submitted, the bail application is allowed. Let the above named petitioner be released 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 District & Sessions Judge- VII cum Special Judge (POCSO), West Champaran, Bettiah in connection with Shikarpur P. S. Case No. 315 of 2022 corresponding to S.T. No. 150 of 2022/CIS No. 150 of 2022.

(Prabhat Kumar Singh, J)

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