

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8475 of 2024

Arising Out of PS. Case No.-37 Year-2023 Thana- INARWA District- West Champaran

Manoj Kumar Son of Achchhelal Mahto @ Akshay Lal Mahto R/o vill -
Inarwa, P.S. - Inarwa, Distt. - West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey, Advocate

For the Opposite Party/s : Mr.Nirmal Kumar Sinha, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 09-04-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Inarwa P.S. Case No. 37/2023 lodged on 22.07.2023 under
Sections 366A, 34 of the Indian Penal Code Sections 8 and 12
of the Protection of Children from Sexual Offences Act
(POCSO), 2012.

3. As per the prosecution case, the FIR has been
lodged against six named accused persons, including the present
petitioner with an allegation of kidnapping the minor daughter
of the informant.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. The present
FIR has been lodged with false and frivolous stories and the



daughter of the informant is a married girl. The alleged victim has been recovered and has got her statement recorded under Section 164 of the Cr. P.C. wherein she has alleged nothing adverse against the present petitioner. The petitioner is accused in one more criminal case which was lodged for the elopement of the same girl in the year 2022. The petitioner has surrendered before the Trial Court suo motu and is in custody since 05.12.2023.

5. Learned counsel for the State opposes the prayer for bail and submits that the case diary as well as the 164 Cr. P.C. statement has been called for.

6. From the perusal of the statement of the victim girl recorded under Section 164 of the Cr. P.C. wherein she has stated that she is a married girl and she herself called his earlier lover (petitioner) to Narkatiaganj station and from where they went to Surat. Subsequently, when the family members of the petitioner informed him about the lodging of the present case, they returned.

6. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount



each to the satisfaction of learned Additional District and Sessions Judge, 7th Special Judge, POCSO, Bettiah, West Champaran, subject to the conditions as laid down under Section 437(3) of the Code of Criminal Procedure.

(Dr. Anshuman, J)

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