

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11447 of 2024

Arising Out of PS. Case No.-333 Year-2023 Thana- CHANPATIA District- West Champaran

Umesh Sah Son of Jaddu Sah Resident of Village-Bhediharwa, P.S.-
Purushottampur, Distt.-West champaran

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Jaina Khatoon Wife of Aktar Mian Resident of Vill.-Pipra, P.S.-Chanpatiya,
Distt.-West Champaran

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Sarvesh Kashyap, Adv.
For the Opposite Party/s :	Mr.Shantanu Kumar, APP
	Mr.Sita Ram Prasad, Adv.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 15-05-2024 Heard learned counsel for the petitioner, learned counsel
for the O.P. No.2 and learned APP for the State.

2. The petitioner apprehends his arrest in a case registered
for the offence punishable u/s 366(A), 34 of the IPC and section
8/12 of the POCSO Act.

3. Allegedly, the petitioner and other F.I.R. named accused
persons are alleged to have kidnapped the minor daughter of the
informant with the intention of marriage.

4. It is submitted by learned counsel for the petitioner that
petitioner is quite innocent and has committed no offence. He
has been falsely implicated in this case due to grudge. No such
occurrence, in the manner as alleged, has ever taken place. The



allegation leveled against the petitioner is not specific rather general and omnibus in nature. The statement of the victim was recorded u/s 164 Cr.P.C., in which, she has not supported the prosecution case and denied the case of kidnapping and stated that she herself went to her maternal house. Petitioner has no criminal antecedent.

5. Learned APP for the State as well as learned counsel for the O.P. No.2 vehemently opposed the prayer for bail.

6. Having regard to the facts and circumstances of the case and considering the statement of the victim, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Chanpatiya P.S. Case No.333 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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