

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10173 of 2024

Arising Out of PS. Case No.-235 Year-2023 Thana- PATAHI District- East Champaran

Om Prakash Kumar S/O YOGENDRA SAH VILLAGE- HARNARAYANA,
PS.- SHIKARGANJ, DISTT. EAST CHAMPARAN.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhananjay Kumar, Adv.

For the Opposite Party/s : Mr.Md. Matloob Rab, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 16-04-2024 Heard learned counsel for the petitioner, counsel
for the informant and learned A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Patahi P.S. Case No.235 of 2023 lodged under Sections 363,
366A/34 of the I.P.C. read with section 8 of the POCSO Act.

3. As per the prosecution case, the F.I.R. has been
lodged against three named accused persons including the
petitioner against whom there is allegation that they have
kidnapped the daughter of the informant with a view to marry.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. He submits
that the alleged victim girl has been recovered and under section
164 of the Cr.P.C, she has narrated her statement that under the
state of angerness from her mother(informant), she went Delhi
with her father from which police has caught him and present



before the Court.

5. Counsel for the petitioner submits that petitioner is in custody since 08.12.2023 having clean antecedent.

6. Learned counsel for the informant vehemently opposes the prayer for bail and submits that the alleged victim girl is a minor, and therefore, the statement of informant is permitted to prevail.

7. Learned counsel for the State opposes the prayer for bail and submits that in the medical board, the alleged victim age was found more than 19 years.

8. 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 7th Additional Sessions Judge- cum- Special Judge, POCSO Act, East Champaran, Motihari in connection with Patahi P.S. Case No.235 of 2023, subject to the following conditions as laid down under Section 437(3) of Cr.P.C.

(Dr. Anshuman, J.)

Prakashmani/-

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