

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11388 of 2024**

Arising Out of PS. Case No.-85 Year-2022 Thana- DARBHANGA SADAR District-
Darbhanga

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Rohit Sahu @ Rohit Kumar S/o Munchun Sah @ Munit Sah R/V- Noorchak,
P.S.- Bisfi, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr.Mohammed Arif, APP

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 18-03-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in a case in connection with Sadar (Mobbi O.P.) P.S. Case No. 85 of 2022 dated 20.02.2022 registered for the offences punishable u/ss 366A read with section 34 of the Indian Penal Code and u/s 8/12 POCSO Act.

3. As per the prosecution case, the petitioner and the co-accused persons are alleged to have kidnapped the minor daughter of the informant for the purpose of marriage.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The occurrence took place on 10.02.2022 but the F.I.R. was lodged on 20.02.2022 and there is no explanation for this delay. There was love affair between the victim and the petitioner. The



victim in her statement recorded under Section 164 of Cr.P.C. has not supported the prosecution case and also stated that she herself left her house. Learned counsel has further submitted that the victim was not forced to have illicit intercourse with another person. It is further submitted that the petitioner has no concern with the alleged offence. The petitioner has criminal antecedent as stated in para 3 of the bail petition.

5. Learned A.P.P. for the State has vehemently opposed the anticipatory bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the nature of allegation against the petitioner, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court concerned, Darbhanga in connection with Sadar (Mabbi O.P.) P.S. Case No. 85 of 2022, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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