

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13049 of 2024

Arising Out of PS. Case No.-331 Year-2023 Thana- LAURIA District- West Champaran

Ramkeshwar Patel S/O- Sukhal Patel @ Sukhal Prasad R/O- Village- Belwa More, P.S.- Lauriya, Dist.- West Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar, Patna
2. Radheshyam Giri S/O- Suresh Giri R/O- Village- Belwa More, P.S.- Lauriya, Dist.- West Champaran.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar

For the Opposite Party/s : Mr. Nagendra Prasad

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA
ORAL ORDER

3 18-04-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks regular bail in connection with
Lauriya P.S. Case No. 331 of 2023 registered for the offence under
Sections 366A / 34 IPC and Section 8 of POCSO Act.

3. As per allegation in the FIR, it is a case of kidnapping
of minor daughter and niece of the informant on the pretext of
marriage by the petitioner and other accused persons.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. He further submits that the petitioner is custody since
27.12.2023.

5. However, learned APP for the State vehemently



opposed the prayer for regular bail.

6. On perusal of the FIR, 164 Cr.P.C. statement of the victim and impugned order dated 20.01.2024, it appears that victim has voluntarily gone with the petitioner Ramkeshwar Patel and then after Gorakhpur and she has also admitted that she is in love affair with the petitioner and married with the petitioner but no statement regarding sexual assault has been made.

7. Considering the aforesaid facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned 7th Additional District & Sessions Judge – cum – Special Judge, POCSO, Bettiah, West Champaran / Successor Court in connection with Lauriya P.S. Case No. 331 of 2023.

(Ramesh Chand Malviya, J)

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