

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14872 of 2024

Arising Out of PS. Case No.-63 Year-2022 Thana- BHAPTIAHI District- Supaul

Sanjeev Sharma @ Sanjeev Kumar SON OF Ramdev Sharma Resident Of
Village- Phulkaha, Ward No. 19, Ps- Jadia, Dist- Supaul

... .. Petitioner/s

Versus

1. The State of Bihar
2. Shyam Sundar Sharma Son Of Late Giram Sharma Resident Of Village-
Pipra Khurd, Ps- Bhaptiyahi, Dist- Supaul

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Rashmi Jha, Advocate

For the Opposite Party/s : Ms. Indu Kumari Srivastava, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 10-04-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. Petitioner seeks regular bail in connection with
POCSO Case No. 77/2023 arising out of Bhaptiyahi P. S. Case
No. 63 of 2022 in a case registered for the offences punishable
under Sections 363, 366A of the Indian Penal Code to which
Sections 8, 12 of the Protection of Children from Sexual
Offences Act have been added later on.

3. It is alleged that in order to grab the property of the
informant, this petitioner along with other F.I.R. named accused
persons kidnapped the minor daughter of the informant.

4. Learned counsel for the petitioner submits that



petitioner is maternal brother-in-law of the victim girl and the whole prosecution case is false and fabricated. As a matter of fact, this petitioner and victim girl developed relationship and no abduction has ever taken place. The victim herself came to the police station and recorded her statement under Section 161 Cr.P.C. on 02.06.2022 whereby she has stated that her father used to beat her and due to that she called this petitioner and went away with him. There is no allegation of sexual assault against the petitioner either in the statement of the victim under Section 161 Cr.P.C. or under Section 164 Cr.P.C. Chargesheet has already been submitted against the petitioner and he is in custody since 14.09.2023.

5. Learned A.P.P. for the State vehemently opposes the bail application.

6. Considering the statement of the victim recorded under Section 164 Cr.P.C., period of custody and the fact that chargesheet has been submitted, the bail application is allowed. Let the above named petitioner be released on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Additional District Judge-VI-cum-Special Judge (POCSO) Act, Supaul in connection with POCSO Case No. 77 of 2023 arising out of Bhaptiyahi P. S.



Case No. 63 of 2022.

(Prabhat Kumar Singh, J)

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