

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15256 of 2024

Arising Out of PS. Case No.-108 Year-2023 Thana- AGIAON BAZAR District- Bhojpur

Amarjit Turha Son of Nandjee Turha Resident of village - Amehta (Samhata),
Police Station - Agiaon Bazar, District - Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :
For the Petitioner/s : Mr. Anil Kumar Singh, Adv.
For the Opposite Party/s : Mr. Nirmal Kumar Sinha, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 14-03-2024 Heard learned counsel appearing on behalf of the

petitioner and learned Additional Public Prosecutor appearing

on behalf of the State.

2. The accused/petitioner is named in F.I.R. and

apprehending his arrest in connection with Agiaon Bazar P.S.

Case No. 108/2023 registered for the offences punishable

under Sections 366(A) and 34 of the Indian Penal Code read

with Sections 8 and 12 of the POCSO Act.

3. The allegation against petitioner is to kidnap the

minor daughter of the informant aged about 16 years along

with co-accused persons for the purpose of illicit

intercourse/marriage.

4. Learned counsel appearing on behalf of the petitioner submitted that thrust of allegation as per statement of victim recorded under Section 164 of Code of Criminal Procedure (Cr.P.C.) is available against co-accused Nitish Turha. The allegation against the petitioner is only to accompanied co-accused up to Pune. It further appears from said statement that the petitioner helped victim while she was in auto and further more she was persuaded to give false statement against petitioner to save the family of main co-accused Nitish Turha. The petitioner is a man of clean antecedent.

5. Learned APP appearing for the State opposes the prayer of bail.

6. Considering the aforesaid facts and circumstances and by taking note of fact as victim *prima facie* not stated anything incriminating against petitioner through her statement recorded under Section 164 of Code of Criminal Procedure (Cr.P.C.) accordingly, the above named petitioner, in the event of his arrest or surrender before learned trial court within a period of four weeks, is

directed to be released on bail furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned VIth Additional District & Sessions Judge-cum-POCSO Judge, Bhojpur at Ara/concerned Court, where the case is pending in connection with Agiaon Bazar P.S. Case No. 108 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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