

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16365 of 2024

Arising Out of PS. Case No.-652 Year-2022 Thana- BETTIAH CITY District- West
Champaran

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Rakesh Kumar S/o Amal Prasad @ Amal Prasad Gupta Village Samahuta PS
Sathi District West Champaran. At present- R/o Madhu Kunj Nagar,
Baswariya, P.S.- Bettah (Town), District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar, Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey

For the Opposite Party/s : Mr. Shailendra Kumar

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

ORAL ORDER

4 24-07-2024 Heard learned counsel for the petitioner and learned
counsel for the informant as well as learned A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Bettiah (Town) P.S. Case No. 652 of 2022 dated 09.09.2022 registered for the offences punishable u/ss 363, 366A read with section 34 of the Indian Penal Code u/s 8 of the POCSO Act and the charge sheet has been submitted u/s 363, 366A, 376/34 of the IPC and section 4 of the 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 doing wrong.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case.



There is a delay of two days in lodging the FIR. There is love affair between the co-accused Golu Kumar and the victim. The petitioner is the brother of the co-accused Golu Kumar. It is further submitted that the victim in her statement recorded before police has said that she herself went with the co-accused Golu Kumar. The petitioner has one criminal antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 04.01.2024.

5. Learned counsel for the informant as well as learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to 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 learned Court concerned, Bettiah, West Champaran in connection with Bettiah (Town) P.S. Case No. 652 of 2022.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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