

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26645 of 2024

Arising Out of PS. Case No.-320 Year-2022 Thana- DHAKA District- East Champaran

Govind Sah S/O Vishwanath Sah R/O Village- Malkauniya, P.S- Dhaka (O.P. Pachpakri), Distt.- East Champaran.

... .. Petitioner/S

Versus

1. The State Of Bihar
2. Ram Babu Verma S/O Late Nagendra Sah R/O Village- Malkauniya, P.S- Dhaka (O.P. Pachpakri), Distt.- East Champaran

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rakesh Kumar, Advocate

For the Opposite Party/s : Dr.Mrityunjaya Kr.Gautam, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

2 14-05-2024 1. Heard learned counsel for the petitioner as well as learned APP for the State.

2. The petitioner seeks bail in anticipation of his arrest in a case registered for the offences punishable under Sections 363, 366(A) and 34 of the IPC and Section 8 of the POCSO Act in connection with Dhaka (Pachpakri O.P.) P.S. Case No.320 of 2022.

3. The learned counsel for the petitioner submits that petitioner is a person with clean antecedent and has been falsely



implicated in the instant case by the informant who is father of the victim. It is next submitted that petitioner and the victim were in love and the victim had reached the age of discretion and thus had eloped with the petitioner.

4. It is further submitted that the victim came back and the statement was recorded under section 164 Cr.P.C. wherein she did not support the case of the prosecution and has also married the petitioner and they are living as husband and wife. It is next submitted that no useful purpose would be served by sending the petitioner to jail as the petitioner and the victim are leading a peaceful conjugal life.

5. The learned APP opposes the anticipatory bail application.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned 6th Additional Sessions Judge-cum-Special Judge, POCSO Act, East Champaran at Motihari in connection with Dhaka (Pachpakri O.P.) P.S. Case No.320 of



2022, subject to the conditions laid down under Section 438(2)
of the Cr.P.C.

7. The application stands allowed.

(Satyavrat Verma, J)

Prakash Narayan

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