

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23696 of 2024

Arising Out of PS. Case No.-40 Year-2023 Thana- MAHILA P.S BAGHA District- West
Champaran

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SUKAI RAM S/O UMESH RAM R/O VILLAGE- RAJWATIYA, ADDA
TOLA, P.S- BAGAHA, DISTT.- WEST CHAMPARAN.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR BIHAR
2. RESHMI DEVI W/O MUNNI CHAUHAN @ MUNNILAL CHAUHAN
R/O VILLAGE- RAJWATIYA, ADDA TOLA, P.S- BAGAHA, DISTT.-
WEST CHAMPARAN .

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sharad Kumar Verma
For the Opposite Party/s : Mr.Tapeshwar Sharma

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**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

3 05-07-2024 Heard learned counsel for the petitioner as well as

learned APP for the State.

2. In this case, the petitioner is seeking regular bail in
connection with Bagaha Mahila P.S. FIR No. 40 of 2023,
registered for the offences punishable under Sections 363, 366A,
341, 323, 504, 506/34 of the IPC and section 4/8 of POCSO Act.

3. As per allegation, the petitioner along with seven
FIR named accused persons enticed away the daughter of the
informant, with an intention to marry her.

4. The learned counsel for the petitioner has submitted
that the petitioner is innocent and has falsely been implicated in
this case. The statement of the victim under Section 164 of the



Cr.P.C. has not been recorded and in her statement under Section 161 of the Cr.P.C., she has stated that she wanted to solemnize marriage with the petitioner but her mother was not ready for that marriage, as such, she went with the petitioner with her own sweet will.

5. On the other hand, Sri Shailendra Kumar, the learned APP for the State though opposed the prayer for bail but fairly admitted that the victim in her statement under Section 161 of the Cr.P.C. did not support the prosecution case.

6. Considering the above-mentioned facts and circumstances, let the petitioner above-named be released on bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-VII-cum-Special Judge, POCSO, West Champaran, Bettiah in connection with Bagaha Mahila P.S. FIR No. 40 of 2023, subject to the following condition:-

(i) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court.

(Nawneet Kumar Pandey, J)

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