

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26534 of 2024

Arising Out of PS. Case No.-700 Year-2023 Thana- SIKARPUR District- West Champaran

1. Ratnesh Paswan @ Ratnesh Kumar S/o- Ramesh Paswan R/o Vill- Tarkulawa, P.S.- Chautarwa, Dist- West Champaran.
2. Bunela Paswan S/o- Bagad Paswan R/o Vill- Kehuniya, P.S.- Shikarpur, Dist- West Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rajdev Mallah Son of Late Ram Kishun Mallah R/O Vill. and P.O.- Kehuniya, P.S.- Shikarpur, Dist.- West Champaran

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar
For the Opposite Party/s : Mr.Zainul Abedin

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

5 25-09-2024 1. Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in anticipation of their arrest in a case registered for the offences punishable under Sections 363 and 366A of the Indian Penal Code and Sections 8 and 12 of the POCSO Act.

3. The learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and have been falsely implicated in the instant case by the informant. It is next submitted that the case was taken up on 30.07.2024, when the S.H.O., Shikarpur along with the Investigating Officer of the



case were directed to remain physically present on 02.08.2024. It is further submitted that on 02.08.2024, when the case was taken up, the learned A.P.P. based on instruction has submitted in presence of S.H.O., Shikarpur and the Investigating Officer that the said team has been constituted for recovering the victim.

4. The learned counsel for the petitioners submits that the victim has been recovered and her statement has been recorded under Section 164 Cr.P.C. wherein she has not supported the case of the prosecution.

5. Learned A.P.P. fairly concurs with the submissions made by the learned counsel appearing on behalf of the petitioner and submits that victim in her statement recorded under Section 164 Cr.P.C. has stated that she, on her own volition, had left the house as her father reprimanded her for study.

6. Considering the submissions made by the learned counsel for the petitioners, the petitioners, above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks, are directed to be released on bail on their furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned 7th Additional



District & Sessions Judge-cum- Special Judge, POCSO, Bettiah,
West Champaran/Successor Court in connection with Shikarpur
P. S. Case No.700 of 2023, subject to the conditions laid down
under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

(Satyavrat Verma, J)

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